

LPC 0316500003--Cook County
Chicago / The Sherwin-Williams Company
ILD 005456439
SF/HRS



CERCLA SITE REASSESSMENT



Prepared by:
Office of Site Evaluation
Division of Remediation Management
Bureau of Land

**CERCLA
SITE REASSESSMENT**

for:

**THE SHERWIN-WILLIAMS COMPANY
CHICAGO, ILLINOIS
ILD 005456439
LPC# 0316500003**

**PREPARED BY:
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND
DIVISION OF REMEDIATION MANAGEMENT
OFFICE OF SITE EVALUATION**

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Title: CERCLA Site Reassessment for The Sherwin-Williams Company Site

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Section 1.0 Introduction

On January 7, 2015, the Illinois Environmental Protection Agency's (Illinois EPA) Office of Site Evaluation (OSE) was tasked by the United States Environmental Protection Agency (U.S. EPA) Region V to conduct a Site Reassessment (SR) at The Sherwin-Williams Company (SWC) site in Chicago, Cook County, Illinois. A broad line of paints and coatings, including both water based and solvent based products have been produced at the site since the mid to late 1880s. The SWC has historically been associated with a street address of 11541 S. Champlain Ave., Chicago, IL, 60628. The SWC originally occupied 122.8 acres which are located within the Southeast ¼ of Section 22 and the Southwest ¼ of Section 23, Township 37 North, Range 14 East of the Third Principle Meridian. The geographic coordinates for the intersection of S. Champlain Avenue and E. Kensington Avenue, which is located in the north central portion of the site, is 41.68405° N latitude and -87.60703° W longitude.

The SR is performed under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) commonly known as Superfund. Current U.S. EPA policy stipulates that a SR be conducted to determine the current status of the SWC site. The SR will consist of an evaluation of recent information to determine if further Superfund investigations are warranted. The SR will supplement previous work, and is not intended to replace previous CERCLA assessments.

The SR is designed to evaluate recent information that will help determine if the site qualifies for possible inclusion on the National Priorities List (NPL), or should receive a No Further Remedial Action Planned (NFRAP) designation. At the conclusion of the reassessment process, Illinois EPA will recommend that the site be given a NFRAP designation, receive further Superfund investigation, or be referred to another state or federal cleanup program.

In response to the establishment of environmental regulations in the late 1970s and early 1980s, SWC was regulated as a Resource Conservation and Recovery Act (RCRA) treatment, storage and disposal (TSD) facility, as well as a large quantity hazardous waste generator. After the sale of their chemicals division to PMC, Inc. (PMC) in 1985, both SWC and PMC requested a change in status to RCRA hazardous waste generators only claiming hazardous wastes were not treated or disposed of on-site and were only stored on-site for less than 90-days. After a Consent Decree

was finalized between the U.S. EPA and SWC in 1997, SWC initiated closure of 26 RCRA hazardous waste management units and implemented remedial measures to address soil and groundwater contamination identified on-site. Remedial measures and final RCRA closure activities were completed on the SWC portion of the site in 2013. In November 2000, SWC entered into a Consent Order with the Illinois EPA to address violations of the Illinois Environmental Protection Act (ACT) on the PMC portion of the site. Following the completion of remedial actions, the Illinois EPA issued SWC a No Further Remediation (NFR) Letter for the PMC property in July 2013. The SWC also received an NFR Letter for the Boilerhouse Complex Property in March 2013. The Illinois EPAs's Leaking Underground Storage Tank (LUST) program issued SWC two NFR Letters for separate LUST incidents.

The SWC site was initially placed on the Superfund Enterprise Management System (SEMS) database in August 1980. CERCLA activities conducted on the SWC included a Preliminary Assessment (September 1984) and a Site Inspection (June 1986).

The SR Report will describe current site conditions and illustrate how the site has changed since the completion of the last CERCLA activity conducted in 1986. This report will contain a summary of existing information that will include site history, current site conditions, evaluate past analytical data, and evaluate past remedial activities. The SR will also support emergency response or time-critical removal activities if they are warranted.

Section 2.0 Site Description and History

Section 2.1 Site Description

The SWC has historically used a street address of 11541 S. Champlain Ave., Chicago, IL, 60628. Figure – 1 is a site map showing the location of the site. The SWC originally occupied 122.8 acres which are located within the Southeast ¼ of Section 22 and the Southwest ¼ of Section 23, Township 37 North, Range 14 East of the Third Principle Meridian. The geographic coordinates for the intersection of S. Champlain Avenue and E. Kensington Avenue, which is located in the north central portion of the site, is 41.68405° N latitude and -87.60703° W longitude. The SWC site is bounded on the east by S. Doty Avenue (a.k.a. Frontage Road) and the Calumet

Expressway (a.k.a. Bishop Ford Freeway or Interstate 94), on the north by 115th Street, on the west by S. Cottage Grove Avenue, and on the south by what used to be 119th Street. The site is divided north and south by what used to be E. Kensington Avenue and east and west by what used to be S. Champlain Avenue. E. Kensington Avenue no longer extends to S. Cottage Grove Avenue and S. Champlain Avenue no longer continues to the 25-Acre Fill Area.

The SWC site has undergone many transformations since the late 1800s. Nearly all of the site features have been modified over time and most of the buildings have been removed. Three buildings are currently located on the site; the A.W. Steudel Technical Center (STC), the former Paint Plant building, and the Chicago Emulsion Plant (CEP) (Figure - 2). The STC is an active facility used for research and development activities and for the production of chemical, protective, and marine coatings. Water-based latex paints are currently manufactured at the CEP facility. The majority of the site is covered by asphalt and concrete engineered barriers constructed as part of remedial actions completed at the site, or concrete building foundations left in place following demolition activities. Two areas located on the southern end of the site are covered with vegetation. Both areas were historical filling locations that received engineered cover systems as part of the remedial actions completed at the site. The fill areas were contoured to control runoff prior to the installation of the cover systems.

The 122.8 acres that make up the SWC site can best be divided into nine areas (Figure - 3). Until July 1985, the entire property was owned by SWC. In July 1985, SWC sold their Chemicals Division to the Plastics Management Corporation or PMC Industries, Inc. Other titles attached to the 32-acre Chemicals Division property included PMC Specialties Group, Inc., 115th Street Corporation, and Chicago Specialties Group L.L.C. Areas 1-4, the 5-Acre Fill Area and the 25-Acre Fill Area were segregated for investigation and remediation conducted pursuant to a 1997 Consent Decree. Areas 2 and 3 were divided into east and west parcels based on the degree of contamination identified within each parcel. The 2.87-acre Boilerhouse Complex or Powerhouse Area has been separated from the rest of the site. The Boilerhouse Complex was leased to PMC after the sale of the Chemicals Division. The CEP area was not investigated or remediated as part of the 1997 Consent Decree. Although not shown on Figure – 2, a drainage ditch located between the eastern site boundary and Doty Avenue was investigated and remediated in conjunction with the 32-acre PMC property.

Access to the SWC site may be obtained at the intersection of S. Champlain Avenue and 115th Street, through gates off of S. Cottage Grove Avenue at the entrance to the STC and CEP, and at the intersection of E. Kensington Avenue and Doty Avenue. The majority of the site contains perimeter fencing restricting access by foot to Champlain Avenue at 115th Street. The site is occupied by workers at the STC and CEP facilities. The site has little or no attraction for recreational purposes. The nearest day care facility is located approximately 1,500 feet west of the site on 115th Street.

Property use restrictions for the SWC site are identified in an Environmental Land Use Control (ELUC) and NFR Letters recorded on the property deeds. The site has been restricted to industrial/commercial property use. Additional property use restrictions imposed on the site will be discussed in Section 3. Surrounding property use is wide-ranging and includes residential, manufacturing, transportation, and waste management and disposal. The historic Pullman residential neighborhood is located to the north of the site. North-south trending railroad tracks are located west of S. Cottage Grove Avenue followed by a residential area. East of the site is Doty Avenue followed by Interstate 94 and then Lake Calumet. Randys's Auto Salvage, Boasso America, Wentworth Tire, and Quala-Clean trailer drop are located south of the site off of 120th Street. The Foodliner Inc. property is located south of the 5-Acre Fill Area off of S. Cottage Grove Avenue. Additional land use in the area includes sewage treatment and disposal at the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC), landfilling, and inland waterway shipping.

Topographically, the area is relatively flat and originally sloped gently to the east towards Lake Calumet. Due to the completion of remedial actions over the majority of the site, the topography has been altered to control runoff and infiltration. Runoff over most of the site is channeled or directed to catch basins that are connected to the city sewer system using ductile iron piping. The city sewers discharge to the MWRDGC. An engineered cap placed on the 25-Acre Fill Area has been contoured to direct runoff to a series of drains and catch basins that discharge to a culvert in the Doty Avenue ditch. The culvert flows beneath Interstate 94 to an outfall that discharges to Lake Calumet east of the site. The nearest surface water body to the site is Lake Calumet located approximately 500 feet east of the site. Additional surface water bodies located

within the 15-mile surface water target distance limit include the Calumet River, the Little Calumet River, and the Calumet Sag Channel (Figure - 5).

The overburden geology of the area consists predominantly of glacial sediments. Surficial sediments near the site consist of fine-grained lacustrine (lake) deposits of the Carmi Member of the Equality Formation (Willman, 1971). These sediments consist primarily of well bedded and locally laminated silt, with thin beds of clay. Lenses of sand and sandy gravel may be present in the Carmi Member. Underlying the lacustrine sediments are gray silty clay tills of the Wadsworth Till Member of the Wedron Formation. Lemont Drift consisting of poorly sorted gravel, with interbedded silt and sand underlies the Wadsworth Till Member. Bedrock underlying the unconsolidated formations in the area consists of Silurian age Niagaran and Alexandrian Series dolomites. The uppermost formation is the Racine Formation consisting of medium gray massive dolomite less than 300 feet thick in Northeastern Illinois (Willman, 1971). Underlying the Racine Formation are the Waukesha and Joliet Formations (<100 feet thick) and the Edgewood and Kankakee Formation dolomites (20-150 feet thick). Beneath the Silurian dolomites are approximately 4,000 feet of Ordovician and Cambrian age sedimentary formations consisting of alternating sequences of carbonate, shale, and sandstone formations. Notable formations within these Ordovician and Cambrian formations are the St Peter Sandstone and the Mt. Simon Sandstone, both of which have been historically used as sources of potable water within the Chicago area.

Based on historical soil boring logs, the site appears to be underlain by fill material ranging predominantly from 5-10 feet in thickness. Fill material was approximately 20 feet thick in a boring located near the old 119th Street location south of the 25-Acre Fill Area. Fill material consists primarily of sand, silty clay, and coarse sand and gravel with clay. Additional references are made to cinders, ash, stone, tile, glass, masonry fill, brick, rubber materials, pieces of wood, slag and foundry sand. Blue, green, yellow, red, pink, or purple discoloration has been observed at some areas. Two boring locations contained small, clear, needle sharp crystals throughout the fill material. Beneath the fill, a silty clay/clayey silt with lenses of silt or sand and gravel (<5 foot thick) is present at most boring locations. The clay surface tends to slope towards the east towards Lake Calumet. More permeable material consisting of sand and gravel,

or sand and silt, was encountered directly above bedrock at various locations throughout the site. Bedrock was encountered between 57 and 71 feet below ground surface (bgs).

A perched shallow water bearing zone was present in the fill material throughout the site. Due to the presence of low permeability clays beneath the fill material, water tends to pond within the fill material above the clay surface. A saturated zone was typically encountered between 3 and 8 feet bgs. The depth to water in shallow monitoring wells located on-site was 1 to 7 feet bgs. In general, the shallow water bearing zone is encountered at about 3-5 feet bgs. Two discontinuous intermediate water bearing zones were encountered at various locations throughout the site. The SWC historically operated three production wells on-site which were completed at depths of 420, 1634 and 1648 feet bgs (Illinois EPA, BOL File). The shallower well was installed in the Silurian dolomite while the deeper wells were installed in Cambrian age sandstone formations. All of the wells have since been abandoned.

Groundwater flow directions within the perched shallow water bearing unit appear to be variable, but generally flow is to the east / northeast towards Lake Calumet. A groundwater mound appears to be located within the PMC property located on the eastern portion of the site. Water elevation data indicates that groundwater within the shallow water bearing unit discharged to the Doty Avenue ditch prior to completion of remedial actions on the PMC section of the site. Groundwater flow directions within the intermediate water bearing zone could not be determined since groundwater occurrences were highly variable. The groundwater flow direction within the upper bedrock water bearing zone is to the southeast to east based on four bedrock wells located on site.

The City of Chicago's potable water supply is obtained from surface water intakes located in Lake Michigan. Private water supply may have been located within the 4-mile target distance limit (TDL) of the site historically; however, the City of Chicago currently has a groundwater use ordinance and memorandum of understanding with the Illinois EPA that prohibits the installation or use of private water supply wells within the city limits.

Section 2.2 Site History

The SWC was established in 1866; however, operations at the Chicago facility did not begin until the mid to late 1880s. The former Paint Plant (deactivated in 1997) produced organic solvent-based paints and special coatings consisting of reactive coatings, general metal market paints, water reducible paints, and wood product coatings. Principal raw materials in each of these coatings categories include resins, pigments, solvents, and additives produced at the site. Resins used in the paint production process were manufactured in the former Resin Plant until deactivation in 1992. Historical records indicate that insecticides may also have been manufactured on-site at one time (Illinois EPA, BOL File). Currently, the Chicago facility contains two active operations; the STC and the CEP. The STC (constructed in 1969) is a research and development laboratory which conducts development work on organic solvent-based paints and resins. The CEP manufactures water-based latex paints and has been in operation since 1979.

The actual date at which operations began at the SWC Chicago facility is unclear; however, the SWC has not owned the entire site since the late 1800s. Information obtained from an 1897 Sanborn Map of the area identifies industrial activity on the site in Areas 2, 3 and 4. The Calumet Paint Company was located in Area 2; the Pullman Bricks Works was located in Area 4, and the Chicago Drop Forge and Foundry Company was located in Area 3 West. A white lead mill was constructed in Area 1 in 1909. The majority of the area on the eastern portion of the site was listed as a low lying marshy area and was undeveloped. By 1911, industrial activity had increased and the first reference to SWC was noted in southeast corner of Area 1.

Approximately 15-20 new buildings were present in Area 2 and included portions of the Resin Plant. The eastern portion of the site was still listed as the Lake Calumet Area. A large foundry identified as the Griffin Wheel Company Pullman Plant was located in the area of the 5-Acre Fill Area and portions of the CEP area.

By 1939, several more buildings were present in Area 1 including the Tin Can Factory Buildings. More buildings were added east of Area 2 in the PMC portion of the site, north of Kensington Avenue. A Coal Tar Products Plant was listed in Area 3 where the Boilerhouse Complex would eventually be located. A lagoon area was present on the southeast corner of the site although apparent filling had taken place on the eastern side of the site. The Pullman Brick

Works Company and the Griffin Wheel Company Pullman Plant were gone and the Kensington Steel Company had replaced the Chicago Drop Forge and Foundry Company located in Area 3 West.

By 1950, Tank Farm L had been added to Area 1, the Power Plant and Building 440 had been added to Boilerhouse Complex area in Area 3, Building 28 had been added to Area 4, and Building 650 (Chemical Plant) had been added to the PMC property south of Kensington Avenue. The lagoon area in the southeast corner of the site has become smaller due to filling.

By 1975, the STC was constructed on Area 1 (1969), two wastewater ponds were added to Area 3 where the Coal Tar Products Plant was previously located, and Chemical Plant Building 865 was added to the PMC property. The Kensington Steel Company had been removed from Area 3 West and the lagoon area in the southeast corner of the site has been filled. Three of the four large 400,000 gallon above ground storage tanks were installed on the PMC property south of Area 4 and north of the 25-Acre Fill Area. The parking lot south of Building 28 had been added in Area 4. Modifications to building locations occurred to the PMC property north of Kensington Avenue. The majority of buildings associated with the Dry Color Plant, Chemical Byproducts Plant, Dye Color Plant and ink mills were demolished.

After 1980, continued demolition, consolidation, and scaling back of activities occurred. This may have been in response to the passing of the RCRA in 1976 and the hazardous waste regulations becoming effective in November 1980. In July 1985, PMC purchased the SWC Chemical Division that included 32-acres of the SWC site. PMC continued to operate at the site until December 2001 when all operations conducted by the PMC were discontinued. In January 2008, SWC negotiated with Chicago Specialties, L.L.C. for the purchase of the 115th Street property. Between 1985 and May 2013, all previous structures located on the SWC property other than the STC and the CEP were demolished.

Environmental investigations and remedial actions have occurred throughout the SWC site since as early as 1980. Twenty-six RCRA hazardous waste management units (HWMUs) were closed by the SWC on the 81-acre portion of the site operated by the SWC after 1985. The HWMU closure activities began in 1998 and the Illinois EPA provided final approval of the closure

activities in February 2013. Investigative activities and remedial measures were performed on Areas 1-4, the 5-Acre Fill Area and the 25-Acre fill area between 1997 and 2013.

On July 24, 2013, the Illinois EPA issued SWC a NFR Letter for the 32-acre portion of the site sold to PMC. Investigation and remedial activities were ongoing from 1990 to 2013. On March 5, 2013, the Illinois EPA issued the SWC a NFR Letter for the 2.87-acre Boilerhouse Complex following investigation and remediation of the area. The Illinois EPA issued SWC two NFR Letters for areas containing underground storage tanks. Appendix-B contains copies of the NFR Letters issued to SWC. Additional information regarding the environmental activities conducted at the SWC site is provided in Section 3 of this report.

Section 2.3 CERCLA Investigative History

The SWC site was discovered August 1, 1980 according to a U.S. EPA Superfund Program database. A PA was conducted by the Illinois EPA in August 1984 (September 1, 1985, U.S. EPA database). The site was given a low priority for inspection; however, a March 29, 1985 Illinois EPA addendum to the PA recommended that the priority for an assessment be changed to high. The high priority status was recommended due to observed groundwater contamination, hazardous waste storage and on-site disposal practices, and potential threats to Lake Calumet. A SI was conducted at the SWC site by a contractor for U.S. EPA in May 1986 (June 11, 1986, U.S. EPA database). The SI made reference to the on-site landfill located in the southeast corner of the site and the lack of information as to the type of wastes disposed of in the landfill. The SI also referenced the detection of heavy metals and phenols in on-site monitoring wells. Orange deposits were also noted in the Doty Avenue ditch. No recommendation was noted in the SI documentation. No additional CERCLA activity was noted.

Section 3.0 Other Cleanup Authorities and Activities

A significant amount of investigative and remedial activities have occurred on the 122-acre SWC site. Some of these activities have been performed voluntarily while others were performed under Consent Orders or Consent Decrees with the Illinois EPA and U.S. EPA. The regulatory

focus on the SWC site appears to have begun in the late 1970s with the passing of the RCRA in 1976, and the hazardous waste regulations becoming effective in November 1980. Facilities that treat, store, or dispose of hazardous waste were required to submit a RCRA Part A permit application. SWC submitted an initial Part A permit application to U.S. EPA in November 1980 referencing various TSD units. With the ensuing sale of the Chemicals Division portion of the site to PMC in July 1985, SWC submitted a revised Part A permit application on behalf of PMC on June 13, 1985. In addition, SWC submitted a revised Part A permit application for the remainder of the site not included in the property transfer. All interim status duties with respect to RCRA regulated facilities in the Chemicals Division would be transferred to PMC. In August 1985, SWC and PMC submitted requests to U.S. EPA to withdraw all units at the site from the State and Federal Permit System. SWC and PMC claimed that the revised Part A permit applications were protective filings and that after further review Part B permits would not be required. Both entities agreed to be hazardous waste generators but claimed not to store hazardous waste on-site for greater than 90-days.

Inspections conducted by the Illinois EPA and U.S. EPA of the SWC and PMC facilities between 1980 and 1990 revealed violations of RCRA regulations and the Illinois Environmental Protection Act. In order to address the alleged violations, environmental investigations were conducted throughout the SWC site. The following three areas were addressed separately.

Section 3.1 SWC Property

The SWC Property consists of approximately 81-acres of land, containing six parcels identified by eight Parcel Index Numbers. This is the property retained by SWC following the sale of the Chemicals Division to PMC in 1985. This includes Areas 1-4, the 5-Acre Fill Area, and the 25-Acre Fill Area (Figure – 3). Following a June 1980 Illinois EPA inspection of the 25-Acre Fill Area, SWC implemented a voluntary cleanup to remove and dispose of surface debris.

Approximately 200 55-gallon drums were removed from the surface and another 250 were removed from a depth of approximately 4 feet bgs. A 30-cubic yard container that was half buried was also removed. Surface soil, spilled paint, construction debris, and vegetation were consolidated and shipped off-site for disposal. After the area was graded, approximately 330

truckloads of Metropolitan Sanitary District sludge were brought in to direct drainage toward the north and west to a catch basin.

In November 1997, SWC and U.S. EPA reached a settlement agreement in the form of a Consent Decree (Civil Action No. 93-C-4267) to address alleged violations of RCRA. In order to address the conditions of the Consent Decree the SWC Property was divided into six areas: Areas 1-4, the 5-Acre Fill Area, and the 25-Acre Fill Area (Figure - 3). The CEP was not listed as an area to be addressed in the Consent Decree. A total of 26 - RCRA HWMU subject to RCRA closure were identified in the 1997 Consent Decree. The 26 - HWMUs were divided into eight groups located in Areas 1-4.

Twenty-one areas of concern on the SWC Property were evaluated in a Roy F. Weston, Inc. February 1998 *Description of Current Conditions Report* (Illinois EPA, BOL File). Seven of the 21 areas had been the subject of previous subsurface investigative activities prior to negotiation of the 1997 Consent Decree. Three phases of investigation were performed at Areas 1-4, the 5-Acre Fill Area, and the 25-Acre Fill Area pursuant to the 1997 Consent Decree. Investigations were completed between November 1998 and September 2001. Both soil and groundwater were sampled throughout the areas listed above. Soil boring and monitoring well locations performed on the six areas are presented on Figure - 4. Both fill material and native soil were analyzed during the investigations. Groundwater was sampled from both temporary and permanent monitoring locations. Four groundwater bearing units were identified during the investigative activities. A perched water bearing zone, present within the fill material, second and third intermediate water bearing zones (IWBZ No. 1 & IWBZ No. 2) located within the native clay layer, and a fourth zone located within the uppermost bedrock formation. Contaminants identified in fill, native soil, and groundwater units varied by location.

Media Cleanup Standards (MCSs) were developed for the SWC Property based on the industrial/commercial and/or construction worker receptor groups. Total metals and Semi-Volatile Organic Compounds (SVOCs) were detected at concentrations above the MCSs in fill/native soil in Areas 1, 3, 4, and the 5-Acre Fill Area. Total metals, SVOCs, and Volatile Organic Compounds (VOCs) were detected in fill/native soil above the MCSs in Areas 2, 4, and the 25-Acre Fill Area. Groundwater within the perched water bearing zone contained VOCs, SVOCs, total and soluble metals, and pesticides above MCSs. Groundwater within the

intermediate water bearing zones contained total metals above MCSs. No constituents were detected in the bedrock water bearing zone above MCSs.

Closure plans for the 26 - HWMUs were approved by the Illinois EPA on April 30, 1998 with modifications through May 2004. In June and August of 2012, the Illinois EPA determined that no further action was necessary at HWMUs not requiring remedial measures. Seven HWMUs required engineered barriers and institutional controls as part of the remedial measures. The Illinois EPA's final decision regarding the closure of the 26 – HWMUs was provided to SWC in a February 21, 2013 letter. Additional remedial measures were conducted on Areas 1-4, the 5-Acre Fill Area, and the 25-Acre Fill Area to address contamination identified above MCSs. Remedial measures conducted at the SWC Property included the installation of engineered barriers (asphalt, concrete, and soil), removal of contaminated soil, installation of vertical steel sheet pilings, installation of a groundwater extraction system, installation of stormwater management systems, installation of a multi-layered engineered cap on the 25-Acre Fill Area (including a passive landfill gas venting system), installation of a clean soil barrier on the 5-Acre Fill Area, annual groundwater monitoring, and the establishment of institutional controls on the site to prevent exposure to contaminants remaining on the site above MCSs. Annual maintenance of the 25-Acre Fill Area was required for 20 years. The operation and maintenance period began in 2010. Annual groundwater monitoring was required for five years in Areas 1, 2 West, 3, 4, and the 5-Acre Fill Area. Annual groundwater monitoring was required for 20 years at Area 2 East and the 25-Acre Fill Area. Annual groundwater monitoring began in 2009 following eight quarters of baseline monitoring. The five year monitoring program was completed in 2013. Contaminants remaining in the shallow perched water bearing unit above MCSs were demonstrated through groundwater modeling not to exceed MCSs beyond the property boundary. U.S. EPA approved the abandonment of shallow monitoring wells that were part of the 5 year monitoring program.

On September 26, 2012, an environmental land use control (ELUC) which identifies preventative, engineering, and institutional controls placed on the property was filed with the Cook County Recorder of Deeds. The ELUC contains an Operations and Maintenance Plan (O&M Plan) which describes the monitoring, inspection, and maintenance activities required to maintain the effectiveness of the remedial measures during the design life of 20 years. Also

included in the ELUC is a Soil Management Plan (SMP) which is applicable to soil that is located under the engineered barriers in Area 1, 2 West, 3 East, 3 West, and 4. Table - 1 contains a list of remedial measures conducted and institutional controls established for each area. Appendix-A contains a copy of the ELUC recorded on the property on September 26, 2012, absent the O&M Plan and SMP.

Eight 8,000 gallon underground storage tanks (USTs) containing solvents used in the manufacturing processes were removed from Area 1 in September 1992. The Illinois EPA issued SWC a NFR Letter for the UST area on August 12, 2013. A 500-gallon gasoline UST was removed from Area 2 in November 2001. The Illinois EPA issued SWC a NFR Letter for the UST location on June 14, 2002. Copies of the NFR Letters are included in Appendix-A.

Section 3.2 PMC Property

The PMC Property occupies approximately 32-acres of the original 122.8-acres owned and operated by SWC (Figure - 3). In 1985, SWC sold their Chemicals Division to PMC. In order to address violations of the Act identified by Illinois EPA inspections, PMC enrolled the property in the Illinois EPA's Pre-Notice Site Cleanup Program in 1992 to voluntarily investigate and potentially remediate contamination identified on-site. In December 1992, PMC signed a 4(q) Notice from the Illinois EPA which clarified PMC's legal obligations to address contamination on site. In 1993, PMC performed a Phase I Remedial Investigation consisting of the completion of nine soil borings and the installation of seven shallow monitoring wells. In April 1993, the State of Illinois filed a complaint against PMC for 14 water and air violations of the Illinois Environmental Protection Act. In March 1995, a Consent Order (No. 93 CH 3844) was filed between the State of Illinois and PMC as a result of settlement discussions to resolve violations identified in the April 1993 complaint. In April 1997, SWC was found by the U.S. District Court as the sole cause of contamination on the PMC Property. In November 2000, the State of Illinois entered into a Partial Consent Order with SWC to address violations previously identified in the 1995 PMC Consent Order.

The results of a Phase II investigation completed by SWC were presented in an October 2002 Comprehensive Site Investigation and Remedial Objectives Report (Illinois EPA, BOL File).

Three rounds of soil sampling were conducted during the Phase II investigation. A total of 90 soil samples were collected from 28 soil boring locations during the first round of soil sampling. An additional 31 soil samples were collected in the second and third round of sampling in order to determine the extent of contamination identified in the first round. Nine monitoring wells were installed during the Phase II investigation. Eight wells were installed in the perched shallow water bearing zone present in fill material; and, one deep well was installed in the upper portion of the bedrock formation. Groundwater samples were collected from the nine monitoring wells installed during the Phase II investigation and seven additional wells previously installed on the PMC Property. Eleven surface water samples and 20 sediment samples were collected from the Doty Avenue Ditch during the Phase II investigation.

Results of the Phase II investigation indicated that both the fill material and underlying native soil contain VOCs, SVOCs, and total metals above Illinois EPA Tier 1 industrial/commercial remediation objectives. Pesticides and TCLP metal results from fill material also exceed Tier 1 remediation objectives. Groundwater samples indicated that VOCs, SVOCs, pesticides, and total and/or soluble metals exceed Illinois EPA Class II groundwater remediation objectives in the perched shallow water bearing zone. Surface water samples from the Doty Avenue ditch contained arsenic and cyanide above Illinois EPA surface water criteria. Sediment samples from the Doty Avenue ditch contained VOCs, SVOCs, pesticides, and total metals above Illinois EPA sediment remediation objectives.

Remedial actions implemented on the PMC Property included “Hot Spot” removal, installation of engineered barriers, installation of a soil-bentonite slurry wall, installation of a groundwater collection and treatment system, and the excavation and removal of contaminated sediments from the Doty Avenue ditch. Eight hotspots containing TCLP lead and/or cadmium were either treated in place with a stabilizing agent or excavated and disposed of off-site. Two hotspot areas containing VOCs above the soil saturation limit were excavated and removed from the site for disposal. Asphalt and concrete engineered barriers were installed over the entire PMC Property west of Doty Avenue. Asphalt barriers were used in areas that would not receive vehicular traffic. A concrete barrier overlain by asphalt was used to create an extension of Kensington Avenue to accommodate truck traffic associated with the Chicago Emulsion Plant. A new stormwater management system was installed in areas receiving engineered barriers.

A soil-bentonite slurry wall was installed as part of the groundwater remedial actions. The soil-bentonite slurry consisted of liquid bentonite, dry bentonite, soil, and Portland cement in areas where the wall was penetrated by underground utilities. The slurry wall extends from the surface into the native clay layer and encompasses the entire PMC Property. The majority of the slurry wall is approximately 24-inches thick but may be thicker in areas where obstructions were encountered.

A groundwater extraction system was installed within the confines of the vertical slurry wall barrier to prevent groundwater from backing up behind the wall and to induce an inward hydraulic gradient. Thirteen groundwater extraction wells were installed throughout the site as part of the groundwater remedial actions. A pneumatic pump was installed in all of the wells. Groundwater is pumped to an on-site groundwater treatment plant to remove contamination. Treated groundwater is then discharged to either the Doty Avenue ditch under an NPDES permitted surface water outfall or to the MWRDGC sanitary sewer system.

Remedial actions performed on the Doty Avenue ditch included dewatering of the ditch prior to and during sediment excavation activities. Approximately 225,500 gallons of surface water was removed for off-site disposal. Sediments were removed to the groundwater surface. Some of the excavated sediments were incorporated into the grading layer used under engineered barriers. Approximately 5,092.61 tons of sediments were unsuitable for use in the grading layer and were disposed of off-site. Clean fill was used to backfill the creek. Final grading of the ditch included the installation of a geotextile fabric that was covered by a six inch layer of stone. Generally, clean fill overlain with seed and erosion mats was installed to restore the upper portion of the ditch to final grade. In areas with steep slopes, aggregate was used in the upper portions of the ditch.

Institutional controls placed on the property include adherence to a groundwater use ordinance prohibiting the installation of potable water supply wells, establishment of a Highway Authority Agreement with the City of Chicago for soil contamination which extends beyond the property at 115th Street and Doty Avenue, a property use restriction to industrial/commercial use, operation and maintenance of engineered barriers in accordance with the Operation and Maintenance (O&M) Plan included in the Remedial Action Completion Report (May 2013), and a safety

precaution that excavation or construction work beneath any engineered barrier be completed in accordance with a Soil Management Plan included in the O&M Plan.

Following Illinois EPA approval of the May 2013 Remedial Action Completion Report, the Illinois EPA issued SWC a NFR Letter dated July 24, 2013 for the PMC Property. The NFR Letter was recorded on the property deed and includes information regarding institutional controls and property use restrictions. A copy of the NFR Letter is included in Appendix-A.

Section 3.3 Boilerhouse Complex Property

The Boilerhouse Complex Property (BCP) encompasses a 2.87 acre area located in the southwest corner of Kensington Avenue and Champlain Avenue (Figure - 3). This area originally contained boilers that supplied steam and heat to the former paint manufacturing facility. This section of the property was leased to PMC after the sale of the Chemical Division of the SWC in 1985. Buildings located on the BCP were demolished in 2009. In February 2012, the SWC enrolled the BCP into the Illinois EPA's Site Remediation Program in pursuit of a NFR Letter. Three phases of investigation occurred on the BCP between January and June of 2011. Sample results from the investigations revealed the presence of VOC, SVOCs, and total metals in fill and native soil at concentrations exceeding Illinois EPA Tier 1 soil remediation objectives. Ethylbenzene, toluene and xylene were detected in fill material at concentrations above the soil saturation limits provided in 35 IAC Part 742.

A total of 3837.7 tons of impacted soil with VOC concentrations above the soil saturation limits was excavated and disposed of off-site as part of the remedial actions performed on the BCP. The excavated area was backfilled to grade with recycled aggregate. Four types of engineered barriers were installed on the BCP as part of the remedial actions completed. The engineered barriers cover the entire BCP to eliminate the ingestion exposure route. The configuration of the engineered barriers was designed to allow a portion of the property to accommodate the adjacent CEP truck operations. Concrete was used in areas constructed to serve as a truck sleeping lot and in areas where 53-foot semitrailers would be parked. A stormwater management system was installed as part of the remedial actions. Two asphalt retention ponds were constructed on the BCP to address runoff requirements. Water from the north pond is connected to the city

stormwater sewer. A controlled release orifice in the catch basin controls the discharge to the stormwater sewer.

Establishment of institutional controls on the BCP was required in order to receive the NFR Letter. Institutional controls required included a property use restriction to industrial/commercial use, a construction worker safety precaution for all construction workers performing intrusive construction activities, an on-site groundwater use restriction, and maintenance of engineered barriers.

Section 4.0 Pathway Discussion

The CERCLA Hazardous Ranking System identifies three migration and one exposure pathway that require evaluation during site assessment. Sites are evaluated on their known or potential impact these pathways have on human health and the environment. The following paragraphs will evaluate the groundwater, surface water, and air migration pathways; and, the soil exposure pathway.

Section 4.1 Groundwater Migration Pathway

Four groundwater bearing units were encountered during investigation of the SWC site. A perched shallow unit located within the fill material present at the site, two intermediate units located within the native clay material present beneath the fill material, and a bedrock unit located in the upper portions of the first bedrock formation.

The perched shallow groundwater bearing unit is located within the fill material present on-site. Fill material is present over the majority of the site and ranges from approximately 5-20 feet bgs. The average fill thickness is approximately 9.6 feet. Groundwater within the fill material may or may not be present, but is primarily perched on top of the underlying silty clay unit. Based on water levels measurements from on-site monitoring wells, the groundwater flow direction within the perched shallow groundwater bearing zone is to the east/northeast towards the Doty Avenue ditch and Lake Calumet. Groundwater within the perched shallow groundwater bearing unit

was believed to discharge to the Doty Avenue ditch. Groundwater within the perched shallow water bearing zone is separated from the intermediate water bearing zones by greater than 25 feet of low permeability silty clay.

The silty clay formation containing the intermediate groundwater bearing units is approximately 44-67 feet thick. Groundwater was encountered in intermediate wells at 42 bgs and 60 feet bgs. Groundwater within the deeper water bearing portion of the intermediate unit is present within sands and gravels located near the bedrock surface and is hydraulically connected to the bedrock water bearing unit. Soil borings indicate that the intermediate water bearing units are discontinuous throughout the site. Groundwater flow directions within the intermediate water bearing units were not established.

The bedrock water bearing unit was encountered in the upper 15-feet of thinly laminated dolomite formation. Four wells were installed in the bedrock water bearing unit. Groundwater elevation data from the four wells indicates the groundwater flow direction is to the southeast.

Historical groundwater sampling results indicate the highest concentration of contaminants of concern (VOCs, SVOCs, pesticides and total metals) above MCS developed for the site are present within the shallow perched groundwater bearing unit. Only total metals were present in groundwater from the intermediate wells above MCSs. No contaminants were present in groundwater from the bedrock monitoring wells above MCSs. Groundwater modeling conducted on the PMC Property prior to implementation of the remedial measures indicated that groundwater contamination derived from on-site soil contamination would extend beyond the property boundaries.

Remedial measures implemented to minimize exposure to contaminated groundwater and prevent off-site migration of contaminated groundwater include:

- Installation of engineered barriers to minimize infiltration through contaminated fill material (Areas 1-4).
- Installation of steel sheet pilings, an impermeable barrier, a groundwater extraction and treatment system in Area 2 East to impart an inward groundwater gradient and minimize off-site migration.

- Installation of a perimeter soil/bentonite slurry wall, a groundwater extraction and treatment system on the PMC Property to impart an inward groundwater gradient and minimize off-site migration.
- Use of the Chicago groundwater ordinance prohibiting the installation and use of potable water supply wells within the City Limits.
- On-site groundwater use restriction.
- 5-20 year groundwater monitoring program.

Although Illinois EPA database information indicates that private water supply wells and non-community water supply wells may have historically existed within the 4-mile TDL, the City of Chicago currently obtains potable water from a municipal system which obtains water from Lake Michigan surface water intakes. It is unlikely that any previously installed potable water supply wells are currently operational. The City of Chicago currently has a groundwater use ordinance and memorandum of understanding with the Illinois EPA that prohibits the installation or use of private water supply wells within the city limits.

Section 4.2 Surface Water Migration Pathway

The majority of the SWC site is covered by asphalt and concrete engineered barriers following completion of remedial measures at the site. Stormwater management systems were installed throughout the site to divert surface water runoff to catch basins connected to the city stormwater sewer system. A multilayer cap was placed on the 25-Acre Fill Area as part of the remedial measures conducted at the site. Prior to installation of the cap, the surface of the area was contoured to direct runoff to various drains and catch basins that discharge to a culvert located in the Doty Avenue ditch. Surface water within the Doty Avenue ditch also flows to the culvert located just east of the 25-Acre Fill Area. From the culvert, runoff flows to the east beneath Doty Avenue and the I-94 Expressway and discharges to Lake Calumet approximately 620 feet east of the site. The location where runoff enters Lake Calumet will be designated as the probable point of entry (PPE) for the surface water migration pathway. Lake Calumet discharges to the Calumet River north of the O'Brien Lock and Dam. The Calumet River flows west before merging with the Little Calumet River. The Little Calumet River flows west approximately 6.8

miles before merging with the Calumet Sag Channel. The 15-mile TDL extends west in the Calumet Sag Channel to the point where 127th Street crosses the Calumet Sag Channel near Crestwood, IL (Figure - 5).

As previously mentioned, contaminated sediments were removed from the Doty Avenue ditch until groundwater was encountered. Clean fill was placed in lifts and compacted to rough grade. A geotextile membrane was placed over the clean fill followed by a 6-inch layer of stone. A soil/bentonite slurry wall was constructed between the PMC Property and the ditch to prevent shallow groundwater from migrating off-site to the ditch.

No surface water intakes are located within the 15-mile TDL. The nearest surface water intake is located in Lake Michigan approximately 10.9 miles up flow from site. Both the Little Calumet River and the Cal Sag Channel are reported to support recreational fishing (U.S. EPA, 1994) (IDNR, May 1996). There is approximately 1.4 miles of wetland frontage within the 15-mile TDL (U.S. Fish & Wildlife Service, National Wetlands Inventory).

Section 4.3 Soil Exposure Pathway

Exposure to contaminated soil on Areas 1-4 of the SWC Property, the PMC Property, and the BCP has been restricted by the installation of engineered barriers and perimeter fencing. Engineered barriers must be properly maintained as barriers as specified in the SWC Property ELUC, PMC Property NFR Letter, and the BCP NFR Letter. In addition to perimeter fencing, both the 5-Acre Fill Area and the 25-Acre Fill Area received caps to prevent exposure to contaminated materials. Preventative controls were placed on the properties which at a minimum require the development of a health and safety plan to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any soil excavated must be returned to the same depth from which it came or properly managed or disposed of.

Residential properties are located within the 4-mile target distance limit of the site. The nearest day care facility is located approximately 1,500 feet west of the site on 115th Street. A private school is located approximately 650 feet northwest of the site. Four schools are located within a

quarter mile of the site. The following table contains the population numbers for the various distance rings from the site. Population numbers below were generated from U.S. Census block centroid population data (U.S. DOC, Salch).

Population Within 4-Miles of the Site

0 - 1/4 Mile	2,914
1/4 – 1/2 Mile	5,769
1/2 - 1 Mile	17,616
1 – 2 Miles	62,299
2 – 3 Miles	82,331
3 – 4 Miles	161,163

Section 4.4 Air Migration Pathway

Historical documented air releases have occurred from the PMC manufacturing area. A Consent Order between the State of Illinois and Chicago Specialties, LLC filed in April 2003 indicated that at least 19 reported releases of chemicals had occurred since 1990. Some of the releases reported are listed below.

- July 1991 – Release of approximately 4,000 pounds of ammonia.
- May 1993 – Release of 50 lbs of toluene vapor and 300 lbs of liquid toluene.
- September 1996 – Release of an unknown amount of sulfur trioxide. Sulfur trioxide reacts with moisture in the air to form a cloud of sulfuric acid mist.
- November 1996 – 3,400 lbs (400 gallons) of para-cresol was released into the environment.
- March 1997 – Release of unknown amount of mononitro para-cresol into the atmosphere.
- August 1997 – Release of 8,500 lbs of sulfur trioxide liquid. A plume of sulfuric acid mist was visible traveling off-site. Residential neighborhoods to the south and west of

the plant were evacuated along with schools, commercial establishments and the MWRDGC. Approximately 25 people were treated for exposure to sulfuric acid and were taken to the hospital.

- August 1998 – Release of toluene sulfonic acid, sulfur dioxide and sulfur trioxide originating inside a building but ultimately emitted to the ambient air. Release nearly resulted in the closure of the I-94 Expressway.

These manufacturing facilities no longer exist on the site. Currently, the CEP and the STC are the only facilities located on the property. The majority of the site is currently covered by asphalt and concrete engineered barriers, buildings or building foundations, or vegetative covered caps, preventing airborne migration of contaminated material.

Section 5.0 Summary and Conclusions

On January 7, 2015, the Illinois EPA's Office of Site Evaluation was tasked by the U.S. EPA Region V to conduct a Site Reassessment at the SWC site in Chicago, Cook County, Illinois. The SWC has historically used a street address of 11541 S. Champlain Ave., Chicago, IL, 60628. The SWC site occupies 122.8 acres near Lake Calumet where a broad line of paints and coatings, including both water based and solvent based products have been produced since the late 1800s. The STC and the CEP are the only remaining operational facilities on the property.

The SWC site was placed on SEMS on August 1, 1980. A PA was conducted by the Illinois EPA in August 1984 (September 1, 1985, U.S. EPA database). The site was given a low priority for inspection; however, a March 29, 1985 Illinois EPA addendum to the PA recommended that the priority for an assessment be changed to high. An SI was conducted at the SWC site by a contractor for U.S. EPA in May 1986 (June 11, 1986, U.S. EPA database). No recommendation was noted in the SI documentation.

In 1985, SWC sold their Chemicals Division to PMC. The Chemicals Division operations were located on 32-acres of the original 122.8-acres. PMC's operation of the Chemicals Division property continued until approximately December 2001. Violations of RCRA and the Illinois Environmental Protection Act resulted in the negotiation of a 1997 Consent Decree between U.S.

EPA and the SWC; and, a 1995 Consent Order between the Illinois EPA and PMC. The SWC agreed to close 26-RCRA hazardous waste management units and perform remedial measures on six established areas on 81-acres of the original site. In April 1997, the SWC was judged solely responsible for contamination on PMC property and entered into a Partial Consent Order with the Illinois EPA to address violations cited on the 32-acre PMC property.

Remedial measures completed on the site included the installation of asphalt and concrete engineered barriers, removal of contaminated material, in-situ treatment of contaminated material, the installation of steel sheet piling and a soil/bentonite slurry wall, the installation of groundwater extraction and treatment systems, the installation of engineered landfill caps, the removal of contaminated sediments from the Doty Avenue ditch, and the installation of stormwater management systems to control runoff. Groundwater monitoring was to be performed for 5-20 years on portions of the site beginning in 2009.

Institutional and preventative controls were placed on the site properties to further reduce the potential for exposure to contaminated soil and groundwater. Institutional controls included industrial/commercial property use restrictions, a highway authority agreement, groundwater use restrictions, and a requirement for vapor control technologies on all future buildings constructed in areas where VOCs are present above an inhalation risk. Preventative controls included a requirement for the development of a health and safety plan to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any soil excavated must be returned to the same location or must be properly managed or disposed in accordance with applicable state and federal regulations. The implementation and maintenance of engineering, institutional and preventative controls is required as a condition of release from further action. Operation and maintenance plans were provided in approved remedial action completion reports.

In April 2010, the SWC submitted a Remedial Measures Implementation Report to the Illinois EPA documenting completion of remedial measures on the 81-acre portion of the site. In February 2012, RCRA closure activities for the 26 hazardous waste management units were approved by the Illinois EPA. An ELUC which identifies engineering, preventative and institutional controls applied to the SWC to prevent exposure to contaminated material and groundwater was recorded on the property deed in 2012.

In July 2013, the Illinois EPA issued the SWC a NFR Letter for the 32-acre PMC property following completion of remedial actions performed to address soil and groundwater contamination. In March 2013, the Illinois EPA issued the SWC a NFR Letter for a 2.87-acre section of the property known as the Boilerhouse Complex following completion of remedial actions performed to address soil and groundwater contamination. The Illinois EPA also issued SWC two NFR Letters for leaking underground storage tank (LUST) areas on the SWC Property.

On December 18, 1991 (amended April 6, 1995) a Superfund Memorandum of Agreement (SMOA) was signed between Illinois EPA and U.S. EPA Region 5. The SMOA states that if a site has been remediated or given a no-action determination under a state cleanup program, the site will not be expected to require further response actions. U.S. EPA Region 5 will not plan or anticipate any federal response action under Superfund law unless the site poses an imminent threat or emergency situation. A copy of the SMOA can be found in Appendix-B.

In addition to the soil exposure pathway, the groundwater, air and surface water migration pathways were considered as part of the SR evaluation of the site. Soil and groundwater contamination have been documented on site by chemical analysis significantly above background and above Illinois EPA approved site remediation objectives. Exposure to contaminated soil has been eliminated through the installation of engineered barriers and perimeter fencing. A health and safety plan is required for workers who may be required to perform excavations in areas of contaminated soil.

The City of Chicago has a groundwater use ordinance in place that prohibits the installation and use of potable water supply wells within the city limits. The 4-mile target distance limit for the groundwater migration pathway does not extend beyond the Chicago city limits. Remedial measures implemented on the site were designed to prevent off-site migration of contaminated groundwater.

Remedial measures implemented on the SWC site included the installation of engineered barriers and stormwater management systems to prevent exposure to contaminated materials and to channel runoff to catch basins which discharge to city stormwater sewers. Runoff from the 25-Acre Fill Area discharges to the Doty Avenue ditch at a culvert between Doty Avenue and the

property boundary; however, an engineered cap system was installed as part of the remedial measures providing a clean barrier between the contaminated fill material and the exposed surface. Contaminated surface water and sediment was removed from the Doty Avenue ditch during implementation of remedial measures. The ditch was backfilled with clean fill followed by installation of a geotextile membrane and 6-inches of stone. From the PPE at Lake Calumet approximately 650-feet east of the site, eligible surface water bodies within the 15-mile surface water migration pathway include Lake Calumet, the Calumet River, the Little Calumet River and the Calumet Sag Channel. Recreational fishing occurs in the Little Calumet River and the Calumet Sag Channel. Approximately 1.43 miles of wetland frontage is present within the 15-mile target distance limit.

Historical records document releases to the air migration pathway; however, the manufacturing facilities responsible for the releases have been removed from the site. Contaminated soil on the site is covered by engineered barriers and engineered landfill caps and is not exposed to the atmosphere.

Section 6.0 References

- (Illinois EPA, BOL File): Illinois Environmental Protection Agency, Bureau of Land; File for LPC# 0316500003 (Sherwin Williams Company), LPC# 0316495039 (Sherwin Williams Paint), LPC# 0316495004 (Chicago Specialties, LLC), and LPC# 0316495138 (Chicago Specialties LLC).
- (Willman, H.B., 1971): *Summary of the Geology of the Chicago Area*, Illinois State Geological Survey Circular 460.
- (U.S. EPA, 1994): United States Environmental Protection Agency, Expanded Site Inspection Final Report Pullman Factory, November 29, 1994, ILD 981 959 208.
- (U.S. DOC, Salch) United States Department of Commerce, Economics, and Statistics Administration, Bureau of Census. Census 2000: Summary File 1. In: ESRI Data and Maps 2006 Data Update, <http://www.esri.com/data-maps/overview.html>. Accessed by James Salch, March 2016.
- (IDNR, May 1996): *Illinois Fishing Guide*, Illinois Department of Natural Resources Division of Fisheries, X42604 117M 5-96.
- (U.S. Fish & Wildlife Service, National Wetlands Inventory): U.S. Fish & Wildlife National Wetlands Inventory website at <http://www.fws.gov/wetlands/Data/Google-Earth.html>. Website accessed in March 2014.

FIGURES

FIGURE - 1
SITE LOCATION MAP

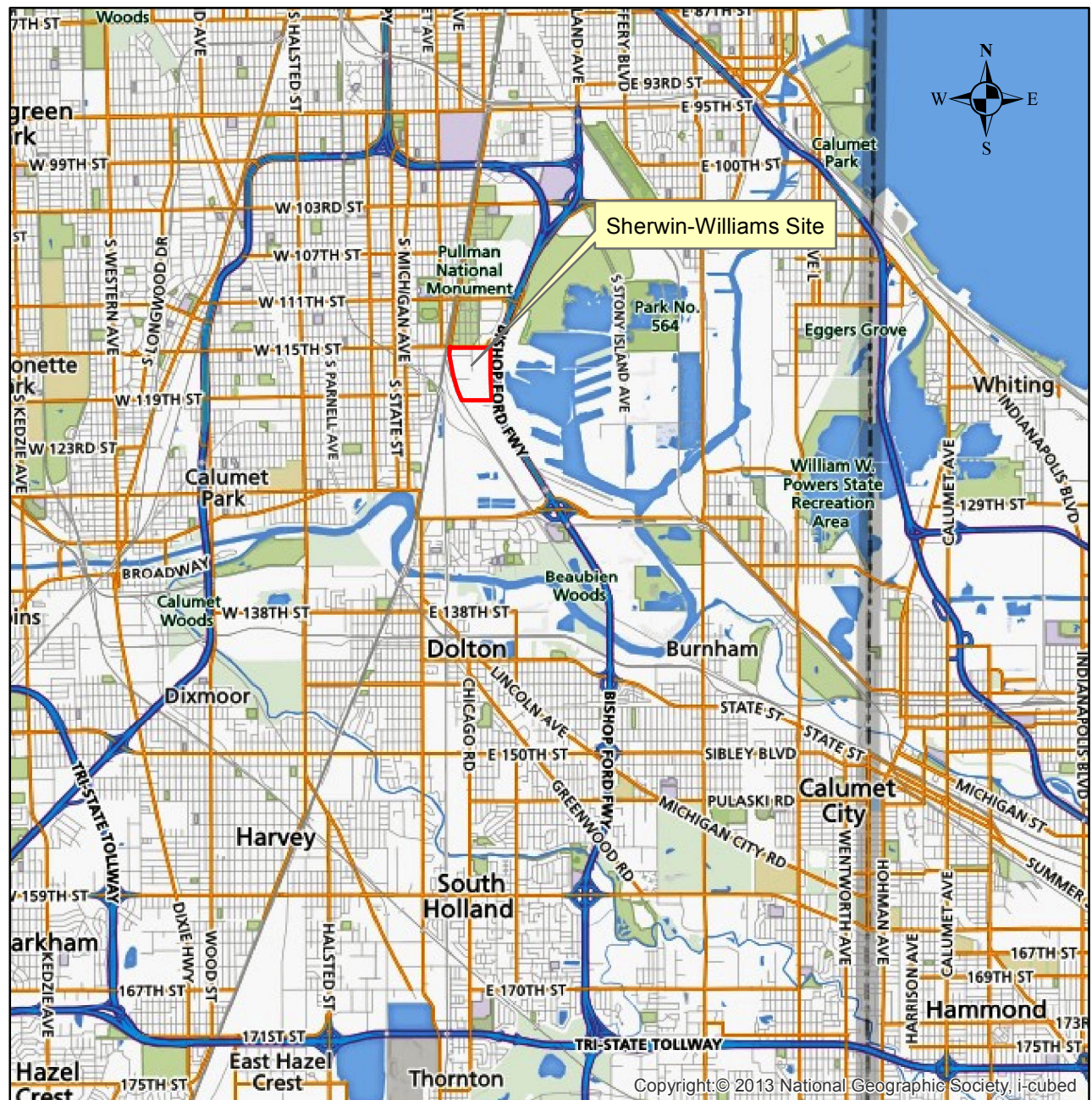
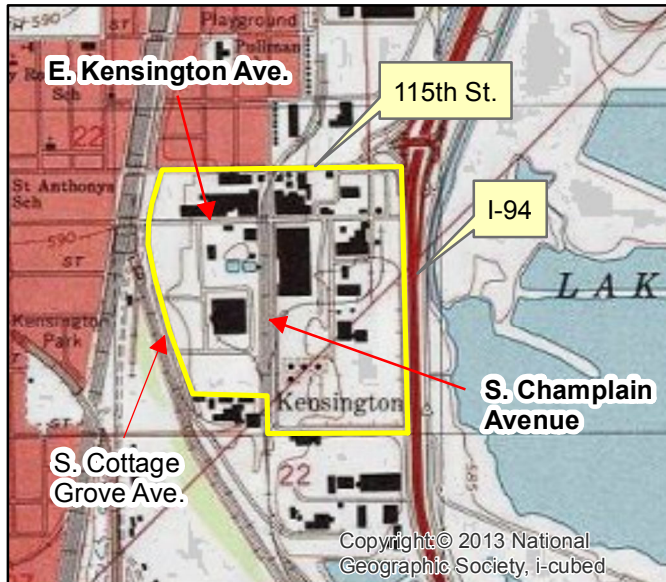


FIGURE - 2
Site Features Map



FIGURE - 3
Site Layout Map

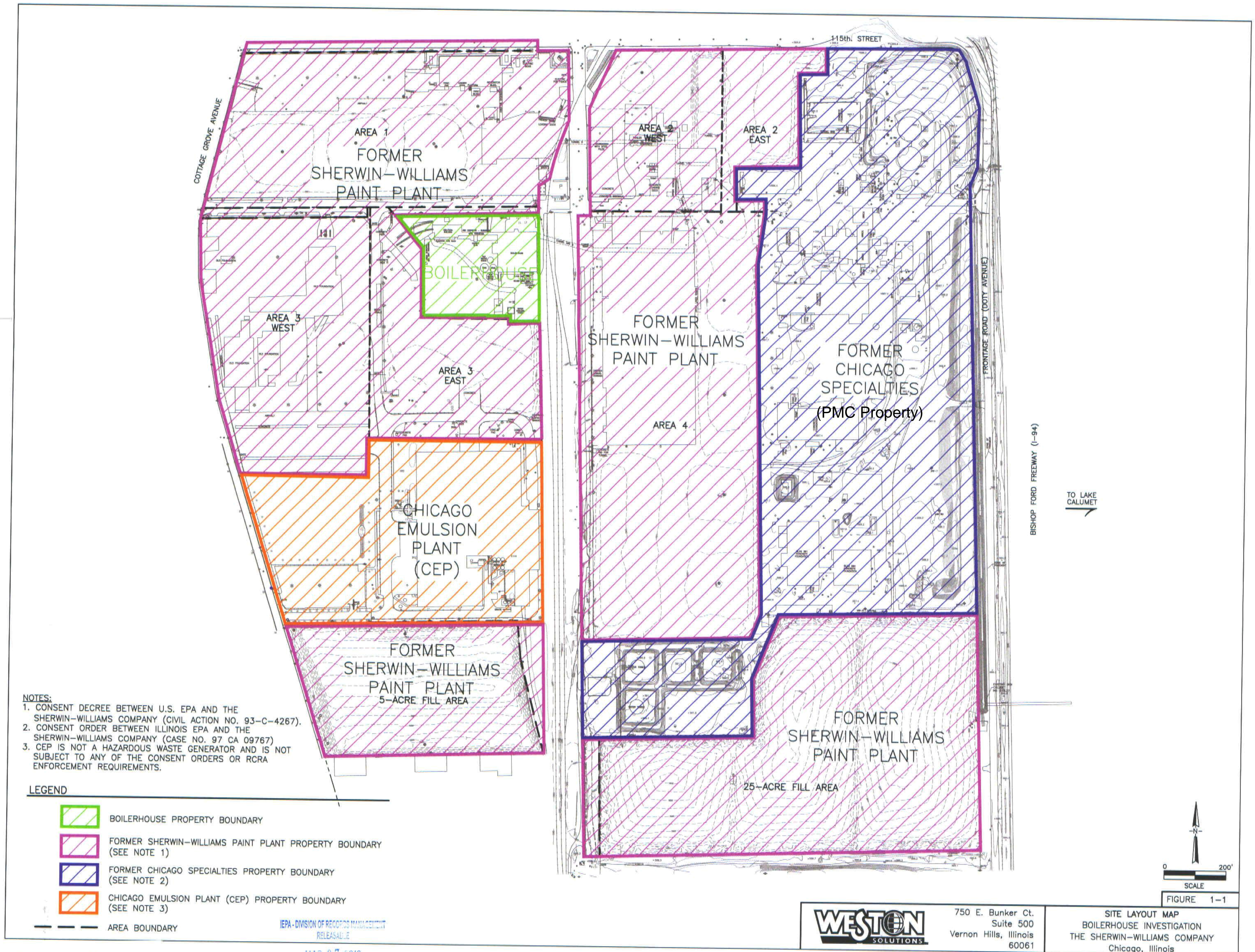


FIGURE - 4
SOIL AND GROUNDWATER SAMPLING LOCATION MAP

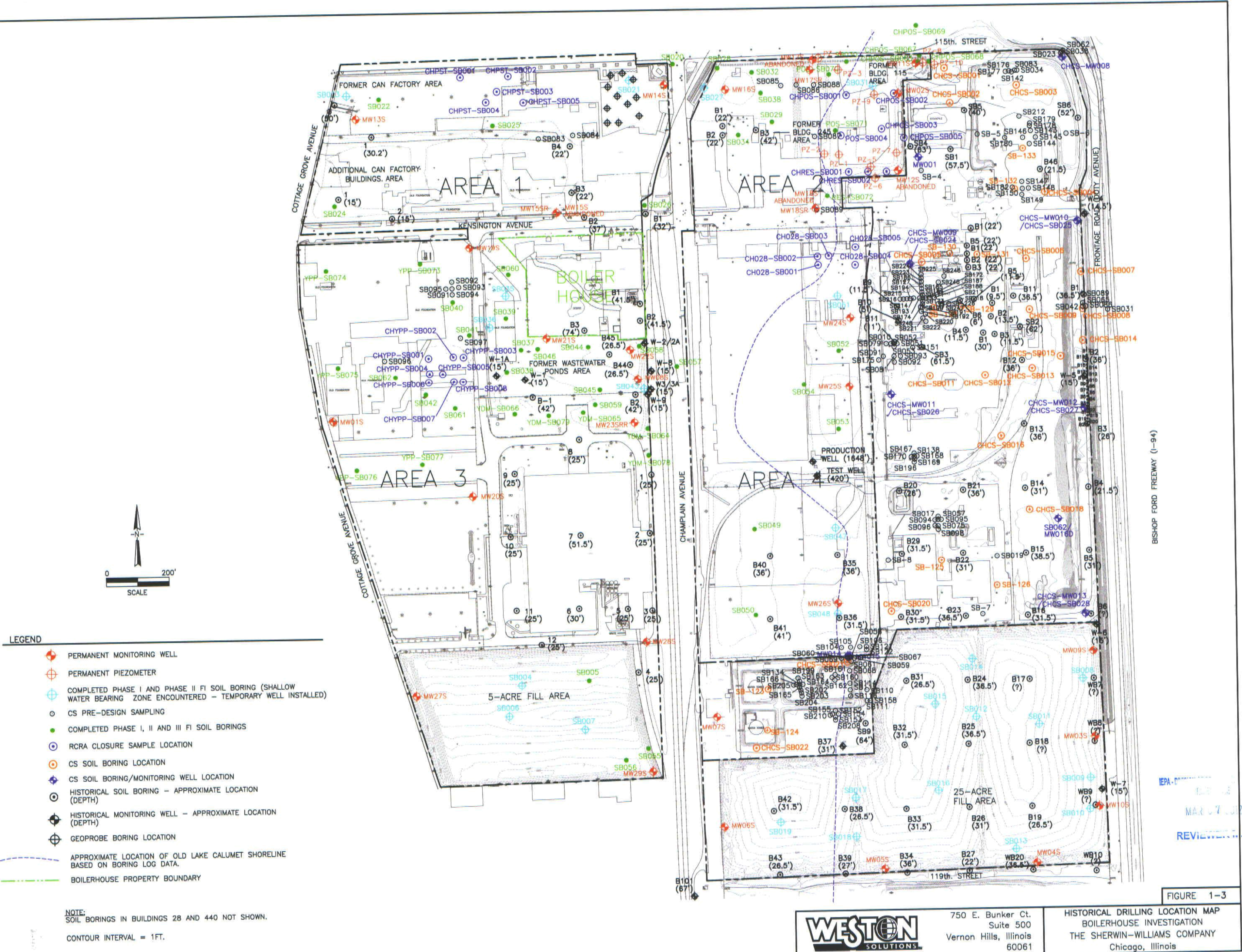
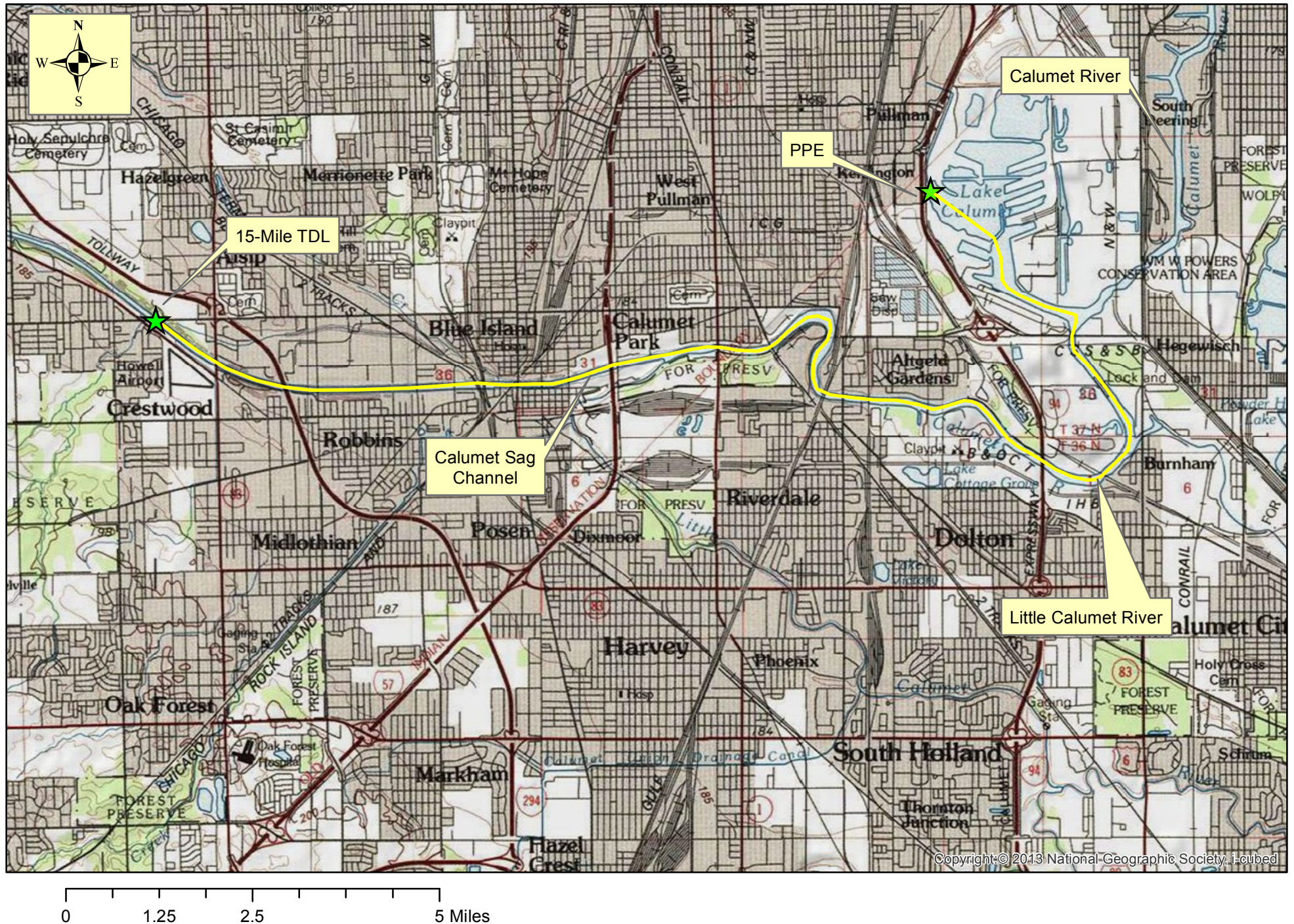


FIGURE - 5
15 - Mile Surface Water Target Distance Limit Map



TABLES

TABLE - 1

Remdial Measures / Preventative, Engineering and Institutional Controls

Preventative, Engineering, and Institutional Controls	Area 1	Area 2 West	Area 2 East	Area 3 West	Area 3 East	Area 4	5-Acre Fill Area	25-Acre Fill Area	PMC Property	Boilerhouse Complex
Asphalt Barrier Type 1 (Vehicles Restricted)	X	X	X	X		X			X	X
Asphalt Barrier Type 2 (Impermeable)			X							
Asphalt Barrier Type 3 (Vehicles Allowed)	X				X					X
Asphalt Barrier Type 4 (Vehicles Allowed)	X									
Concrete Engineered Barrier	X				X				X	X
Soil Engineered Barrier	X	X			X		X			
Engineered Barrier Maintenance Plan	X	X	X	X	X	X	X	X	X	X
Industrial/Commercial Use Restriction	X	X	X	X	X	X	X	X	X	X
Groundwater Use Restriction	X	X	X	X	X	X	X	X	X	X
Vapor Intrusion Restriction					X					
Site Safety Plan Requirement	X	X	X	X	X	X	X	X	X	X
Soil Management Plan	X	X	X	X	X	X	X		X	X
Highway Authority Agreement									X	
Remedial Measures										
Engineered Barriers	X	X	X	X	X	X			X	X
Engineered Cap							X	X		
Stormwater Management System	X	X	X	X	X	X	X	X	X	X
Contaminated Soil Removal					X				X	
Contaminated Soil Treatment									X	
Steel Sheet Pile Wall			X							
Soil / Bentonite Slurry Wall									X	
Groundwater Extraction System			X						X	
Groundwater Treatment System			X						X	
Groundwater Monitoring (5 - Years)	X	X		X	X	X	X			
Groundwater Monitoring (20 - Years)			X					X		

APPENDIX – A

SWC ELUC and NFR Letters



Weston Solutions, Inc.
750 E. Bunker Court, Suite 500
Vernon Hills, IL 60061-1450
(847) 918-4000 fax: (847) 918-4055
www.westonsolutions.com

The Trusted Integrator for Sustainable Solutions

16 October 2012

Mr. Stephen F. Nightingale
Illinois Environmental Protection Agency
Bureau of Land
1021 N. Grand Avenue
Springfield, Illinois 62702

Work Order No.: 00709.033.074

Re: 0316500003 – Cook County
The Sherwin-Williams Company
ILD005456439
Certified and Filed Copy of ELUC
Chicago, Illinois

Dear Mr. Nightingale:

Weston Solutions, Inc. (WESTON®), on behalf of The Sherwin-Williams Company (Sherwin-Williams), is pleased to provide the Illinois Environmental Protection Agency (IEPA) with one (1) copy of the certified *Environmental Land Use Control (ELUC)* as required in the IEPA ELUC approval letter dated 23 August 2012. The approved ELCU was recorded with the Cook County Recorder of Deeds on 26 September 2012. Please note that one copy of the ELUC has also been submitted to the United States Environmental Protection Agency as required by the Remedial Measures Implementation Report approval letter dated 7 September 2012.

The ELUC establishes the land use limitations for the entire Sherwin-Williams Chicago Facility. Specifically, this ELUC establishes the land use limitations for the remedial activities implemented as part of the risk-based closure in portions of the Sherwin-Williams Chicago Facility from the United States Environmental Protection Agency (USEPA) as part of a consent decree (Civil Action No. 93-C-4267 filed in the United States District Court for the Northern District of Illinois). In addition, this ELUC establishes land use limitations for the following alleged hazardous waste storage units (HWSU): Paint Plant and A.W. Steudel Center Container Storage Area (CSA), Resin Plant and Paint Overstock CSAs, Yard P Pumping Pad CSA, Suspected Chromium Soil Pile, Aboveground Caustic Dip Tank in Building 440, CSA inside/outside Building 28.



Mr. Stephen Nightingale
Illinois Environmental Protection Agency

-2-

16 October 2012

If you have any questions or comments regarding these documents, please feel free to contact either of the undersigned.

Very truly yours,
WESTON SOLUTIONS, INC.

A handwritten signature in black ink that reads "Jennifer L. Troast".

Jennifer Troast
Senior Project Manager
(847) 918-4068

A handwritten signature in black ink that reads "Steven R. Bosko".

Steven R. Bosko
Project Director
(847) 918-4061

cc: Todd Gmitro, U.S. EPA (1 copy)
Gordon Kuntz, Sherwin-Williams (1 copy)



Illinois Environmental Protection Agency

Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

RCRA INTERIM STATUS CLOSURE AND POST-CLOSURE CARE PLANS GENERAL FORM

LPC-PA18

This Form Must Accompany Any Rcra Interim-status Closure And/or Post-closure Care Plans Or Modification Request Submitted To The Division Of Land Pollution Control. The Original And Two Copies Of All Documents Submitted Must Be Provided.

FACILITY IDENTIFICATION (Information about the facility where the units are located which are addressed in this closure plan submittal)

Name: The Sherwin-Williams Company
Street Address: 549 East 115th St
City: Chicago

County: Cook
Site # (IEPA): 0316500003
Site No. (USEPA): ILD005456439

Owner Information

Name: The Sherwin-Williams Company
Mailing Address:
101 Prospect Avenue, NW
Cleveland, Ohio 44115-1075

Operator Information

Name: _____
Mailing Address: _____

Contact Name: Gordon Kuntz
Contact Title: Sr. Environmental Project Manager
Phone #: 216.566.2889

Contact Name: _____
Contact Title: _____
Phone #: _____

TYPE OF SUBMISSION (check applicable item and provide requested information, as applicable)

- ☐ Original (New) Closure Plan
☐ Original (New) Post-Closure Plan
☐ Response to Disapproval letter

Log No. of Most Recent Agency Approval/Disapproval Letter _____

Date of Most Recent Agency Approval/Disapproval Letter _____

- ☐ Modification Request
☐ Additional Information for _____ Submittal (Log No. _____ if known)
(enter date)

Does this submittal contain groundwater information?

Yes

No

(IF YES, PLEASE INCLUDE ONE ADDITIONAL COPY OF SUBMITTAL)

DESCRIPTION OF SUBMITTAL: (briefly describe what is being submitted)

Fully executed, notarized, and recorded ELUC for Sherwin-Williams Realty Holdings, Inc.

LIST OF DOCUMENTS SUBMITTED: (identify all documents in this submittal, including the cover letter)

Executed and recorded ELUC.

UNITS UNDERGOING CLOSURE (please identify what type of units are addressed in the plan, their capacities and whether they are on the RCRA Part A for the facility)

Unit	Unit Code	Number of Units Closing	Capacity	On Part A Y/N
<u>Storage:</u>				
Container (barrel, drum, etc.)	S01			
Tank	S02			
Waste Pile	S03			
Surface Impoundment	S04			
<u>Treatment:</u>				
Tank	T01			
Surface Impoundment	T02			
Incinerator	T03			
Other (explain)	T04			
<u>Disposal:</u>				
Landfill	D80			
Land Application	D81			
Surface Impoundment	D83			

CERTIFICATION AND SIGNATURE (Must be completed for all submittals. Certification and signature requirements are set forth in 35 IAC 702.126. Any submittal involving engineering plans, specifications and calculations as defined in the Illinois Professional Engineering Practice Act (225 ILCS 325) and 68 Ill. Adm. Code 1380 must be signed and certified by an Illinois licensed professional engineer.)

All closure plans, post-closure plans and modifications must be signed by the person representing the owner/operator designated below or by a duly authorized representative of that person:

1. If the owner/operator is a Corporation - By a principal executive officer of at least the level of vice-president.
2. If the owner/operator is a Partnership or Sole Proprietorship - By a general partner or the proprietor, respectively.
3. If the owner/operator is a Government - By either a principal executive officer or a ranking elected official.

A person is a duly authorized representative only if:

1. the authorization is made in writing by a person described above; and
2. is submitted with this application (a copy of a previously submitted authorization can be used).

CERTIFICATION STATEMENT - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Owner Signature *London S. Kuntz*
Title Senior Environmental Project Manager

Date 10/10/2012

Operator Signature _____
Title _____

Date _____

Engineer Signature *me. kl*
(if necessary)

Date Oct 5, 2012

Engineer Name Mark E. Kleiner

Engineer Seal

Engineer Address 750 East Bunker Ct.
Suite 500
Vernon Hills, IL 60061

Engineer Phone # 847.918.4027

JM:bjh\97763i.doc



PREPARED BY:

Name: Dr. Gordon Kuntz,
The Sherwin-Williams Company

Address: 101 Prospect Avenue
NW Cleveland, Ohio 44115

RETURN TO:

Name: Dr. Gordon Kuntz,
The Sherwin-Williams Company

Address: 101 Prospect Avenue
NW Cleveland, Ohio 44115



Doc#: 1227018087 Fee: \$234.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 09/26/2012 01:34 PM Pg: 1 of 99

THE ABOVE SPACE FOR RECORDER'S OFFICE

Environmental Land Use Control

THIS ENVIRONMENTAL LAND USE CONTROL ("ELUC"), is made this ____28th____ day of _____August_____, 2012, by ____The Sherwin-Williams Realty Holdings, Inc._____, ("Property Owner") of the real property located at the common address ____549 E. 115th St, Chicago, IL 60628_____, ("Property").

WHEREAS, 415 ILCS 5/58.17 and 35 Ill. Adm. Code 742 provide for the use of an ELUC as an institutional control in order to impose land use limitations or requirements related to environmental contamination so that persons conducting remediation can obtain a No Further Remediation determination from the Illinois Environmental Protection Agency ("IEPA"). The reason for an ELUC is to ensure protection of human health and the environment. The limitations and requirements contained herein are necessary in order to protect against exposure to contaminated soil or groundwater, or both, that may be present on the property as a result of previous activities. Under 35 Ill. Adm. Code 742, the use of risk-based, site-specific remediation objectives may require the use of an ELUC on real property, and the ELUC may apply to certain physical features (e.g., engineered barriers, monitoring wells, caps, etc.).

WHEREAS, The Sherwin-Williams Realty Holdings, Inc. [the party performing remediation] intends to request risk-based, site specific soil and groundwater remediation objectives from IEPA under 35 Ill. Adm. Code 742 to obtain risk-based closure of the site, identified by Bureau of Land [10-digit LPC or Identification number] _0316500003_, utilizing an ELUC. The Sherwin-Williams Realty Holdings, Inc. is also pursuing risk-based closure of certain portions of the site from the USEPA as part of a consent decree (Civil Action No. 93-C-4267 filed in the United States District Court for the Northern District of Illinois); and the USEPA ID No. for this site is ILD005456439.

NOW, THEREFORE, the recitals set forth above are incorporated by reference as if fully set forth herein, and the Property Owner agrees as follows:

Section One. Property Owner does hereby establish an ELUC on the real estate, situated in the County of, State of Illinois and further described in Exhibit A attached hereto and incorporated herein by reference (the "Property").

Attached as Exhibit A is the site map that shows the legal boundary and legal description of the Property, the real estate tax index/parcel index number, any physical features to which the ELUC applies, the extent of the contaminants of concern above the applicable remediation objectives, and the nature, location of the source, and direction of movement of the contaminants of concern, as required under 35 Ill. Adm. Code 742.

Section Two. Property Owner represents and warrants **he/she** is the current owner of the Property and has the authority to record this ELUC on the chain of title for the Property with the Office of the Recorder or Registrar of Titles in Cook County, Illinois.

Section Three. As described in Exhibit A, the Property Owner hereby agrees, for **himself/herself**, and **his/her** heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or the holder of any portion thereof or interest therein, that:

- The property may only be used for Industrial/Commercial activities in the future.
- The engineered barriers identified in Exhibits B-1 thru B-8 must be operated and maintained in accordance with the Operation and Maintenance Plan contained in Exhibit C.
- Any excavation or construction work beneath any engineered barrier identified in Exhibits B-1 thru B-8 must be carried out in accordance with the Soil Management Plan contained in Exhibit D. Any soil or groundwater removed as part of these efforts must be managed in accordance with 35 Ill. Admin. Code, Subtitle G; Waste Disposal.
- A building control technology meeting the requirements of 35 IAC 742 must be installed as part of the construction of all future building slabs and/or subsurface walls in Area 3 where volatile organic compounds are above an inhalation risk.
- The groundwater beneath the property may not be used for potable purposes.
- Worker Safety Plans.

Section Four. This ELUC is binding on the Property Owner, **his/her** heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or the holder of any portion thereof or interest therein. This ELUC shall apply in perpetuity against the Property and shall not be released until the IEPA determines there is no longer a need for this ELUC as an institutional control; until the IEPA, upon written request, issues to the site that received the no further remediation determination a new no further remediation determination approving modification or removal of the limitation(s) or requirement(s); the new no further remediation determination is filed on the chain of title of the site subject to the no further remediation determination; and until a release or modification of the land use limitation or requirement is filed on the chain of title for the Property.

Section Five. Information regarding the remediation performed on the Property may be obtained from the IEPA through a request under the Freedom of Information Act (5 ILCS 140) and rules promulgated thereunder by providing the IEPA with the [10-digit LPC or identification number] listed above. Information regarding the remedial activities carried out under the above-mentioned consent decree can be obtained from the USEPA, Region 5 by providing the USEPA with the USEPA ID No. identified above.

Section Six. The effective date of this ELUC shall be the date that it is officially recorded in the chain of title for the Property to which the ELUC applies.

WITNESS the following signatures:

Property Owner(s) Sherwin-Williams Realty Holdings Inc.

By: Gordon S. Kuntz

Its:

Date: 30 Aug 2012

STATE OF OHIO

)

) SS:

COUNTY OF CUYAHOGA

)

I, JUDITH C. GILLIGAN the undersigned, a Notary Public for said County and State, DO
HEREBY CERTIFY, that GORDON KUNTZ and _____, personally known to me to be
the Property Owner(s) of SWREALTHY HOLDINGS, and personally known to me to be the same persons
whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally
acknowledged that in said capacities they signed and delivered the said instrument as their free and voluntary
act for the uses and purposes therein set forth.

Given under my hand and official seal, this 30th day of AUGUST, 2012

Judith C. Gilligan
Notary Public

JUDITH C. GILLIGAN
Notary Public, State of Ohio
My Commission Expires May 16, 2017



Roy F. Weston, Inc.
Suite 500
750 East Bunker Court
Vernon Hills, IL 60061-1450
847-918-4000 • Fax 847-918-4055
www.rfweston.com

RECEIVED
JUL 10 2002
IEPA/BOL

Ms. Robin McCain
Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

July 5, 2002

CERTIFIED MAIL

Re: LPC #0316500003 – Cook County
Chicago/Sherwin Williams
11541 S. Champlain Ave.
LUST Incident No. 20011967
LUST Technical File

Dear Ms. McCain:

The Illinois Environmental Protection Agency (IEPA) has issued a No Further Remediation (NFR) letter for the Chicago/Sherwin Williams, 11541 S. Champlain Avenue site identified as LUST Incident No. 20011967. The NFR letter was recorded with the Cook County Recorder of deeds on June 27, 2002 as document number 0020712837. A certified copy of the recorded document is attached for your records.

It is our understanding that the submission of this certified copy of the duly recorded original to the IEPA completes the requirements of the NFR and thus completes your file on Incident 20011967.

If you have any questions please feel free to contact me at (847) 918-4043 or Larry Magill at (847) 918-4129.

Sincerely,

ROY F. WESTON, INC.

Matthew Crain
Senior Project Manager

Attachment

Cc: P. Barding, Sherwin Williams

RELEASABLE

JUL 29 2002

REVIEWER MM





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

RECEIVED

JUN 7 2002

CERTIFIED MAIL

7001-2510-0002-3281-8040

217/782-6762

JUN 14 2002

The Sherwin Williams Company
Attention: Paul Barding, Environmental Specialist
11541 S. Champlain Ave.
Chicago, IL 60628

0020712837

4738/0005 54 001 Page 1 of 8
2002-06-27 09:47:33
Cook County Recorder 35.50

Re: LPC # 0316500003 -- Cook County
Chicago/Sherwin Williams
11541 S. Champlain Ave.
LUST Incident No. 20011967
LUST Technical File

Dear Mr. Barding:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45 Day Report/Corrective Action Completion Report submitted for the above-referenced incident. This information is dated March 2002; was received by the Illinois EPA March 4, 2002; and was prepared by Roy F. Weston, Inc. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 IAC).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 IAC Section 732.300(b) and Section 732.409(b) indicate the remediation objectives set forth in 35 IAC Section 732.408 have been met.

Based upon the certification by Mark Kleiner, a Registered Professional Engineer of Illinois, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Registered Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following persons:

1. The Sherwin Williams Company;
2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);

GEORGE H. RYAN, GOVERNOR

4. Any co-owner or co-operator, either by joint-tenancy, right of survivorship, or any other party sharing a legal relationship with the owner or operator to whom the letter is issued;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest; or
9. Any heir or devisee of such owner or operator.

This Letter, and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable County in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 IAC Part 742) rules.
2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.

3. The land use limitation specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

Engineering: None.

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this letter.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan may result in avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed, or excavated from, or disturbed at the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 IAC Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
8. Pursuant to Section 57.10(e) of the Act (415 ILCS 5/57.10(e)) and 35 IAC Section 732.704, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank(s) associated

with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:

- a) Any violation of institutional controls or industrial/commercial land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- d) The failure to comply with the recording requirements for the Letter;
- e) Obtaining the Letter by fraud or misrepresentation; or
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board (Board) pursuant to Section 57.7(c)(4)(D) and Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

PREPARED BY:

Name: Paul Barding, Environmental Specialist
The Sherwin Williams Company

Address: 11541 S. Champlain Ave.
Chicago, IL 60628

RETURN TO:

Name: Paul Barding, Environmental Specialist
The Sherwin Williams Company

Address: 11541 S. Champlain Ave.
Chicago, IL 60628

THE ABOVE SPACE FOR RECORDER'S OFFICE

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA Number: 0316500003

LUST Incident No.: 20011967

The Sherwin Williams Company, the owner and operator of the leaking underground storage tank(s) associated with the above-referenced incident, whose address is 11541 South Champlain Ave., Champaign, Illinois, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal description or Reference to a Plat Showing the Boundaries: See attached
2. Common Address: 11541 South Champlain Ave., Champaign, Illinois
3. Real Estate Tax Index/Parcel Index Number: 25-22-400-031-0000
4. Site Owner: The Sherwin Williams Company
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

Page 5

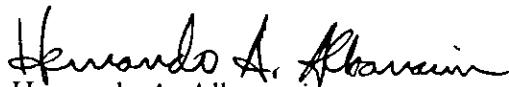
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, IL 62794-9276
217/782-5544

Submit the certified copy of this letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Robin McCain, at 217/785-6309.

Sincerely,


Hernando A. Albarracin

Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAA:RMM *pmm*

Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description

cc: Steven R. Bosko, Roy F. Weston, Inc.
Division File



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois EPA's Bureau of Land (BOL) issues a No Further Remediation (NFR) Letter at the completion of site remediation activities under the LUST Program and the SRP. The letter signifies that 1) the person conducting remediation has satisfied the respective BOL laws and regulations, and 2) that no further remediation is necessary to protect human health and the environment for the property described in the letter, so long as the site is used in accordance with the terms of the NFR letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined in the Illinois Environmental Protection Act for the program in question. (See 415 ILCS 5/57.10(d) and 58.10(d).) However, if not properly recorded, the NFR Letter *holds no legal significance for anyone*. Furthermore, if not properly recorded, the Illinois EPA *will* take steps to void the NFR letter in accordance with the regulations pertaining to the program under which the remediation was performed.

Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the letter and Environmental Notice to the Office of the Recorder or the Registrar of Titles of the county where the site is located *within 45 days after receipt of the letter*. You must record both the NFR Letter and the Environmental Notice. Both must be recorded in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions of the institutional controls. A certified copy of the letter and Environmental Notice as recorded must be sent to the Illinois EPA. Failure to record the NFR Letter and the Environmental Notice in accordance with the regulations will make the letter voidable.

For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on our Agency's website directly at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

GEORGE H. RYAN, GOVERNOR

AREA	SUB AREA	BLOCK	PARCEL	UNIT	WARRANT	CODE
512	010	003	311			

OFFICE OF THE CLERK OF COOK COUNTY, ILLINOIS
PERMANENT REAL ESTATE INDEX NUMBER AND LEGAL DESCRIPTION

VOLUME 291
TAX CODE 70030
AREA SUB-AREA BLOCK PARCEL UNIT

25- 22- 400- 031

THAT PART FRL SE 1/4 SEC 22 & SW 1/4 FRL 23 NIBL & FRL 22 SIBL DAF BEG AT S LN E 115FT TH S WHICH IS S LN N 33FT FRL SE 1/4 SEC 22 & FRL SW 1/4 SEC 23 AT A POINT 774.56FT E FROM & INTERSECTION OF SD S LN WITH E LN PRODUCED S OF S CHAMPLAIN AV TH S 80.50FT TH W 90FT TH S 299FT TH W 208FT TH S 96FT TH E 95FT TH S 50FT TO PNT ON S LN VAC KENSINGTON TH SW ALG ST LN 162.16FT TO A PNT WHICH IS 543FT E OF E LN CHAMPLAIN TH S 1115FT TH SWLY ALG A ST LN DIST OF 84.89FT TO A PNT WHICH IS 34FT W FROM SWLY EX SD LAST DESC LN TH W 549FT

PRIOR 306113

AREA	SUB AREA	BLOCK	PARCEL	UNIT	WARRANT	CODE
25	22	400	031		291	70030

#2

OFFICE OF THE CLERK OF COOK COUNTY, ILLINOIS
PERMANENT REAL ESTATE INDEX NUMBER AND LEGAL DESCRIPTION

VOLUME 291
TAX CODE 70030
AREA SUB-AREA BLOCK PARCEL UNIT

25- 22- 400- 031

TO A PNT 26FT E OF W LN CHAMPLAINE AVE TH N ALG SD LN TO S LN VAC KENSINGTON AVE TH E TO E LN CHAMPLAIN AV EX S TH N TO C/LN VAC KENSINGTON AVE ST TH W TO C/LN CHAMPLAIN AVE TH N TO S/LN 115TH ST TH E TO POB E 1/4 SE 1/4 NIBL 23 37 18 FRL SW 1/4 NIBL 23 37 14 E 1/4 NE 1/4 SIBL 22 37 14

PRIOR 306113

1986 DIVISION
400-007/008/011/014
015/016/001/002
Block Parcel

2001 DIVISION
VOLUME CHANGE
Block Parcel

2001 DIVISION
CODE CHANGE
Block Parcel

I CERTIFY THAT THIS
IS A TRUE AND CORRECT COPY
OF DOCUMENT # 0020712837

JUN 27 2002


RECORDER OF DEEDS
COOK COUNTY



Weston Solutions, Inc.
750 E. Bunker Court, Suite 500
Vernon Hills, IL 60061-1450
(847) 918-4000 fax: (847) 918-4055
www.westonsolutions.com

The Trusted Integrator for Sustainable Solutions

24 September 2013

Mr. Steve Putrich
Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 N. Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

RECORDED
NFR

Work Order No.: 00709.033.086

Re: LPC#0316500003 - Cook County
The Sherwin-Williams Company
11541 S. Champlain Ave.
Chicago, Illinois
Leaking UST Incident No. 922759
Certified and Filed Copy of NFR Letter



RECEIVED

SEP 25 2013

IEPA/BOL

Dear Mr. Putrich:

Weston Solutions, Inc. (WESTON®), on behalf of The Sherwin-Williams Company (Sherwin-Williams), is pleased to provide the Illinois Environmental Protection Agency (IEPA) with one (1) copy of the certified *Environmental No Further Remediation Letter (NFR)* as required in the IEPA NFR approval letter dated 28 August 2013. The approved NFR was recorded with the Cook County Recorder of Deeds on 4 September 2013.

If you have any questions or comments regarding these documents, please feel free to contact either of the undersigned.

Very truly yours,

WESTON SOLUTIONS, INC.

Jennifer Troast
Senior Project Manager
(847) 918-4068

Steven R. Bosko
Project Director
(847) 918-4061

EPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

OCT 10 2013

REVIEWER MED

PREPARED BY:

Name: Sherwin-Williams Company

Address: 11541 S. Champlain Ave.
Chicago, IL 60628



Doc#: 1325529021 Fee: \$54.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 09/12/2013 02:54 PM Pg: 1 of 9

RETURN TO:

Name: Sherwin-Williams Company

Address: 101 Prospect Avenue, NW
Cleveland, OH 44115

RECORDED
NFR

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

RECEIVED

SEP 25 2013

Illinois EPA Number: 0316500003

LUST Incident No.: 922759

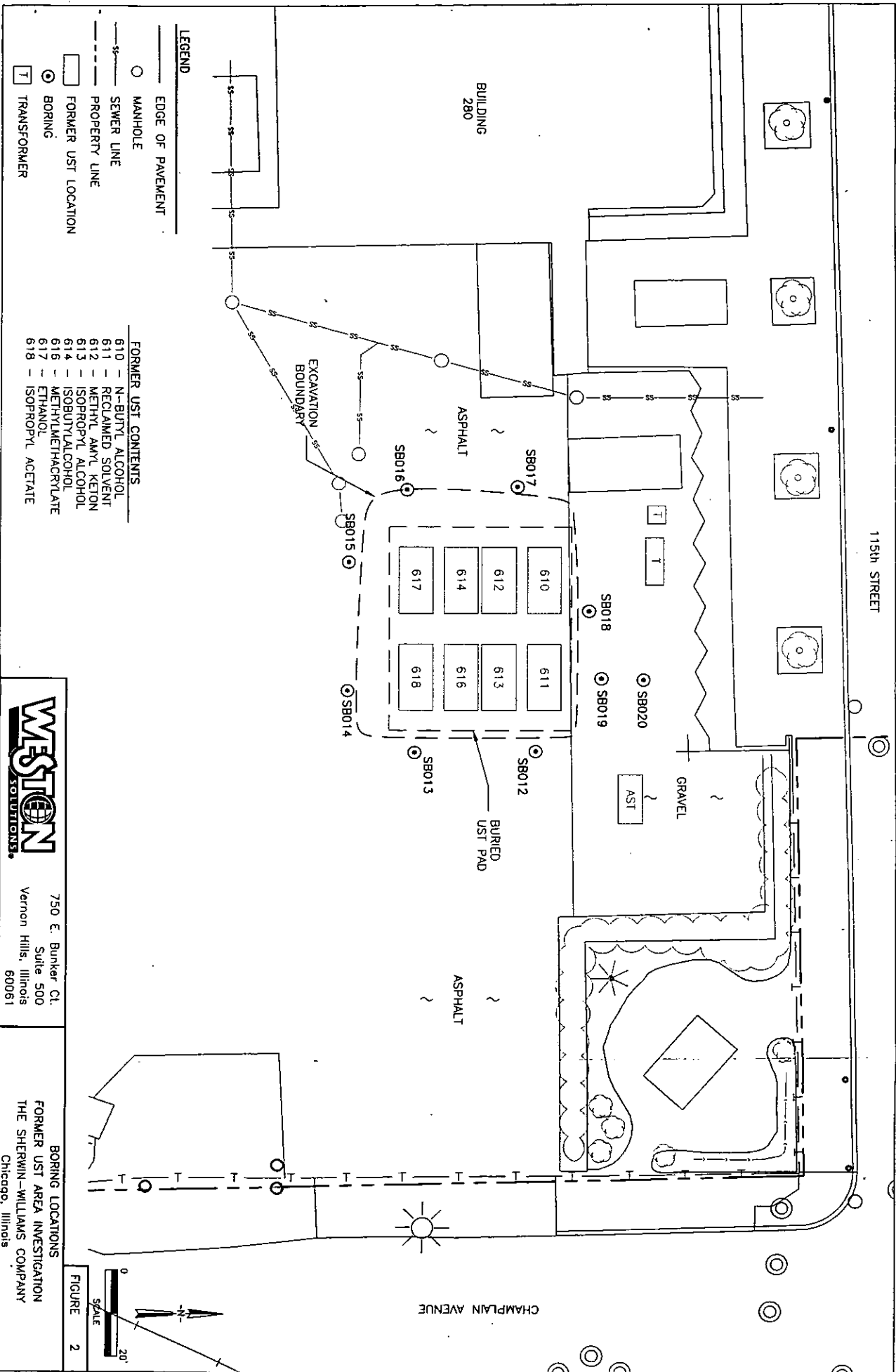
The Sherwin-Williams Company, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 101 Prospect Avenue, NW, Cleveland, Ohio, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Maps:

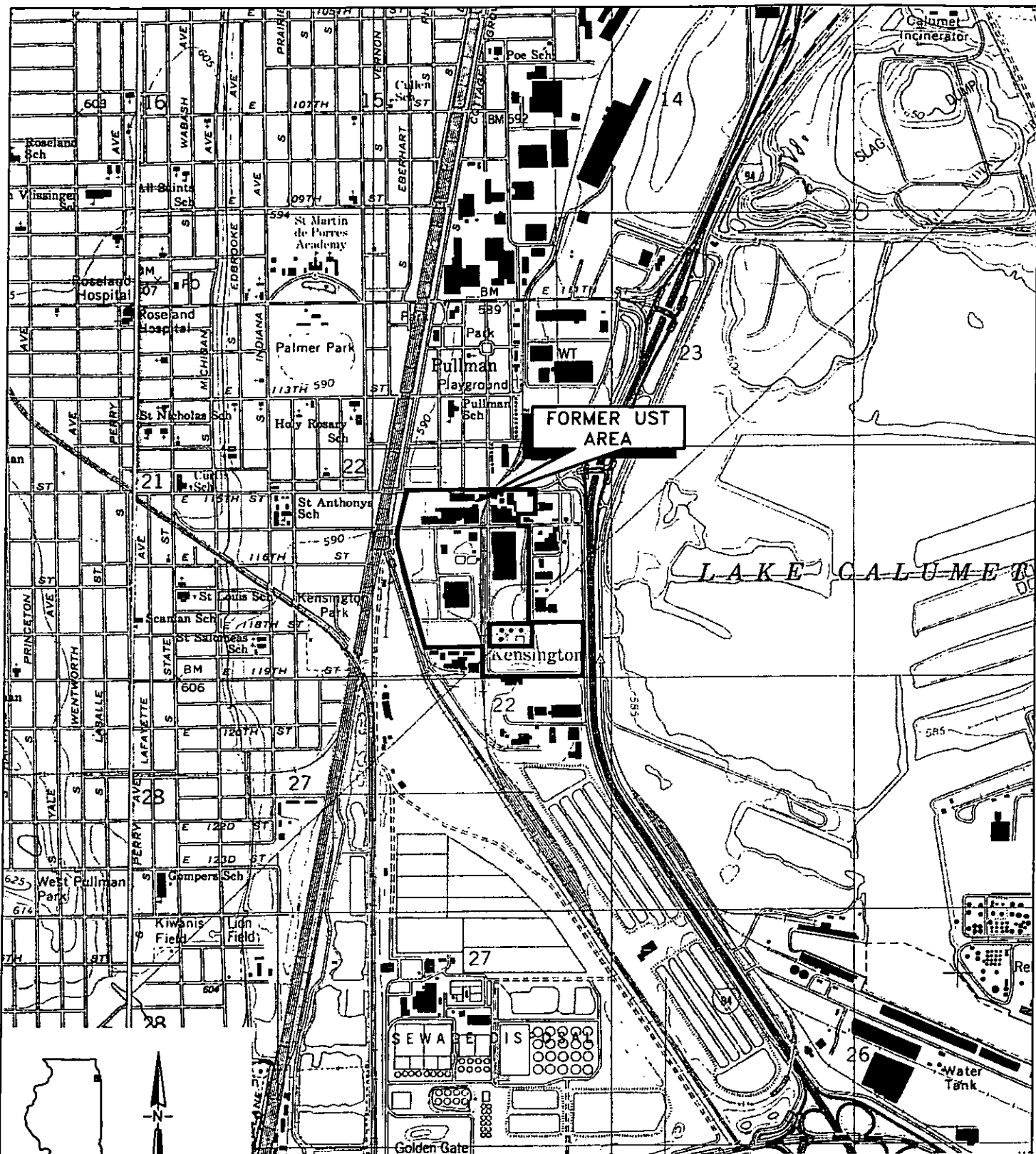
IEPA/BOL

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attachment
2. Common Address: 11541 S. Champlain Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 25-22-400-028
4. Site Owner: Sherwin-Williams Company
5. Land Use Limitation: The land use shall be industrial/commercial.
6. See the attached No Further Remediation Letter for other terms.

STP

Attachment: Site Base Maps (2)
Legal Description





LEGEND

— SHERWIN-WILLIAMS FACILITY

SOURCE: U.S.G.S. 7.5 MINUTE TOPOGRAPHIC MAPS.
BLUE ISLAND AND LAKE CALUMET QUADRANGLE.

FIGURE 1



750 E. Bunker Ct.
Suite 500
Vernon Hills, Illinois
60061

SITE LOCATION MAP
THE SHERWIN-WILLIAMS COMPANY
Chicago, Illinois

EXHIBIT A**LEGAL DESCRIPTION**

PART OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF KENSINGTON AVENUE (SAID POINT BEING 525.5 FEET SOUTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF SECTION 22 AND 126.43 FEET EAST OF THE EAST LINE OF THE RIGHT OF WAY OF MICHIGAN CENTRAL RAILROAD); THENCE EAST ALONG THE CENTER LINE OF KENSINGTON AVENUE, TO A POINT 100 FEET WEST OF THE WEST LINE OF STEPHENSON AVENUE, PRODUCED SOUTH (AS SAID STEPHENSON AVENUE IS LOCATED IN THE NORTH EAST 1/4 OF SAID SECTION 22); THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF STEPHENSON AVENUE PRODUCED SOUTH, A DISTANCE OF 64 FEET; THENCE NORTHEASTERLY ON A CURVED LINE WITH A RADIUS OF 338 FEET AND CONVEX TO THE SOUTH EAST, A DISTANCE OF 42 FEET; THENCE NORTHEASTERLY ON A CURVED LINE WITH A RADIUS OF 717 FEET AND CONVEX TO THE NORTH WEST, A DISTANCE OF 117.50 FEET; THENCE NORTHEASTERLY ON A STRAIGHT LINE AND TANGENT TO LAST MENTIONED CURVED LINE 77 FEET TO THE WEST LINE OF STEPHENSON AVENUE PRODUCED SOUTH; THENCE NORTH ALONG WEST LINE OF STEPHENSON AVENUE PRODUCED SOUTH, A DISTANCE OF 222.83 FEET TO SOUTH LINE OF 115TH STREET; THENCE WEST ALONG SOUTH LINE OF 115TH STREET, A DISTANCE OF 100 FEET; THENCE NORTH ALONG A LINE 100 FEET WEST OF THE WEST LINE OF STEPHENSON AVENUE PRODUCED SOUTH, A DISTANCE OF 33 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH EAST 1/4 OF SECTION 22 AFORESAID; THENCE WEST ALONG THE NORTH LINE OF THE SOUTH EAST 1/4 OF SECTION 22 AFORESAID TO A POINT 186.8 FEET EAST OF THE EASTERLY LINE OF RIGHT OF WAY OF ILLINOIS CENTRAL RAILROAD; THENCE SOUTHWESTERLY ON A STRAIGHT LINE, A DISTANCE OF 545.3 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. SITUATED IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

PERMANENT TAX NUMBER: 25-22-400-028; 25-22-500-003; 25-22-400-020; 25-22-400-018; 25-22-400-019



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-1829
PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

F.H. & R.S.
SEP 04 2013

217/524-3300

CERTIFIED MAIL

Originally issued: August 12, 2013
Revised:

7011 1150 0001 0862 6825

AUG 28 2013

Sherwin-Williams Co.
Attn: Gordon S. Kuntz, Ph.D.
101 Prospect Avenue, NW
Cleveland, OH 44115

RECORDED
NFR

Re: LPC #0316500003 – Cook County
Chicago/Sherwin-Williams Company
11541 S. Champlain Ave.
Leaking UST Incident No. 922759 -- NFR Letter
Leaking UST Technical File

Dear Mr. Kuntz:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information is dated July 3, 2013 and was received by the Illinois EPA on July 5, 2013. Citations in this letter are from 35 Illinois Administrative Code (35 Ill. Adm. Code). This letter is revised in order to correct the identification of the owner/operator and to delete references to a groundwater use restriction.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Ill. Adm. Code 731 indicate remediation has been successfully completed.

Based upon the certification by Mark Evans Kleiner, a Licensed Professional Engineer, and based upon other information in the Illinois EPA's possession, your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. This Letter shall apply in favor of the following parties:

1. The Sherwin-Williams Company, the owner or operator of the underground storage tank system(s).

2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives have been established in accordance with an industrial/commercial land use limitation. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: The land use shall be industrial/commercial. It has been demonstrated that the groundwater under the site meets Class II (General Resource) groundwater criteria rather than Class I (Potable Resource) groundwater. Groundwater classifications are defined at 35 Ill. Adm. Code 620.Subpart B.
3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

Engineering: None.

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan may, if applicable, result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency

Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance of this Letter include, but shall not be limited to:
- a. Any violation of institutional controls or industrial/commercial land use restrictions;
 - b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c. The disturbance or removal of contamination that has been left in place in accordance with the Corrective Action Plan or Completion Report;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or
 - f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Page 5

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Steve Putrich, at 217-524-4827.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Lowder", with a long horizontal flourish extending to the right.

Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

MTL:STP:jab\

Attachments: Leaking Underground Storage Tank Environmental Notice

c: Weston Solutions
 BOL File

13-54785

0316495004
Chicago Specialties, LLC
(Sherwin-Williams Co.)
SR/Tech



Weston Solutions, Inc.
750 E. Bunker Court, Suite 500
Vernon Hills, IL 60061-1450
(847) 918-4000 fax: (847) 918-4055
www.westonsolutions.com

The Trusted Integrator for Sustainable Solutions

RECORDED NFR

6 September 2013

Mr. Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 N. Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Work Order No.: 00709.047.081

Re: 0316496004 – Cook County
The Sherwin-Williams Company – Former Chicago Specialties Property
Certified and Filed Copy of NFR Letter
Chicago, Illinois

Dear Mr. O'Hara:

Weston Solutions, Inc. (WESTON®), on behalf of The Sherwin-Williams Company (Sherwin-Williams), is pleased to provide the Illinois Environmental Protection Agency (IEPA) with one (1) copy of the certified *Environmental No Further Remediation Letter (NFR)* as required in the IEPA NFR approval letter dated 24 July 2013. The approved NFR was recorded with the Cook County Recorder of Deeds on 29 August 2013.

If you have any questions or comments regarding these documents, please feel free to contact either of the undersigned.

Very truly yours,
WESTON SOLUTIONS, INC.

A handwritten signature in black ink that reads "Jennifer L. Troast".

Jennifer Troast
Senior Project Manager
(847) 918-4068

A handwritten signature in black ink that reads "Steven R. Bosko".

Steven R. Bosko
Project Director
(847) 918-4061

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

SEP 16 2013

REVIEWER MED

cc: Gordon Kuntz, Sherwin-Williams (1 copy)

RECEIVED

SEP 09 2013

IEPA/BOL

PREPARED BY:

Name: Gordon S. Kuntz, Ph.D
The Sherwin-Williams Company

Address: 101 Prospect Avenue, NW
Cleveland, OH 44115

**RECORDED
NFR**

RECEIVED

SEP 09 2013



Doc#: 1324116098 Fee: \$68.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/29/2013 03:21 PM Pg: 1 of 16

RETURN TO:

IEPA/BOL

Name: Gordon S. Kuntz, Ph.D
The Sherwin-Williams Company

Address: 101 Prospect Avenue, NW
Cleveland, OH 44115

THE ABOVE SPACE FOR RECORDER'S OFFICE

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASE FILE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County SEP 16 2013

Illinois State EPA Number: 0316495004

REVIEWER MED

The Sherwin-Williams Company, the Remediation Applicant, whose address is 101 Prospect Avenue, NW Cleveland, Ohio 44115 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

THAT PART OF THE FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22 AND OF THE FRACTIONAL SOUTHWEST QUARTER OF FRACTIONAL SECTION 23, LYING NORTH OF THE INDIAN BOUNDARY LINE, AND OF FRACTIONAL SECTION 22, LYING SOUTH OF THE INDIAN BOUNDARY LINE, ALL IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF EAST 115th STREET, BEING THE SOUTH LINE OF THE NORTH 33.00 FEET OF THE FRACTIONAL SOUTHEAST QUARTER OF SAID FRACTIONAL SECTION 22, AND OF THE FRACTIONAL SOUTHWEST QUARTER OF SAID FRACTIONAL SECTION 23 AT A POINT WHICH IS 774.56 FEET EAST FROM THE INTERSECTION OF SAID SOUTH LINE WITH THE EAST LINE, PRODUCED SOUTH, OF SOUTH CHAMPLAIN AVENUE (FORMERLY STEPHENSON AVENUE) AS SAID SOUTH CHAMPLAIN AVENUE IS LOCATED IN THE NORTHEAST QUARTER OF SAID FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE AND RUNNING THENCE SOUTH ALONG A LINE PERPENDICULAR TO SAID SOUTH LINE OF EAST 115TH STREET, A DISTANCE OF 80.50 FEET; THENCE WEST ALONG A LINE PARALLEL WITH SAID NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, A DISTANCE OF 90.00 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO LAST DESCRIBED COURSE, A DISTANCE OF 299.00 FEET THENCE WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, AFORESAID, A DISTANCE OF 208.00 FEET, THENCE SOUTH ALONG A LINE PERPENDICULAR TO SAID LAST DESCRIBED LINE, A DISTANCE OF 96.00 FEET THENCE EAST

ALONG A LINE PARALLEL TO THE NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, AFORESAID A DISTANCE OF 95.00 FEET; THENCE SOUTH ALONG A LINE PERPENDICULAR TO SAID EAST DESCRIBED COURSE, A DISTANCE OF 50.00 FEET, TO A POINT ON THE SOUTH LINE OF VACATED EAST KENSINGTON AVENUE, SAID SOUTH LINE BEING PARALLEL WITH AND 558.50 FEET SOUTH FROM SAID NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE, AND SAID POINT BEING 569.90 FEET EAST FROM THE AFORESAID EAST LINE OF SOUTH CHAMPLAIN AVENUE, PRODUCED SOUTH; THENCE SOUTHWESTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 162.16 FEET TO A POINT WHICH IS 543.00 FEET (MEASURED PERPENDICULARLY) EAST FROM SAID EAST LINE OF SOUTH CHAMPLAIN AVENUE, PRODUCED SOUTH, AND 718.50 FEET (MEASURED PERPENDICULARLY) SOUTH FROM SAID NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE; THENCE SOUTH ALONG A LINE PARALLEL WITH SAID EAST LINE OF SOUTH CHAMPLAIN AVENUE, PRODUCED SOUTH, A DISTANCE OF 1115.00 FEET; THENCE SOUTHWESTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 84.99 FEET TO A POINT WHICH IS 34.00 FEET (MEASURED PERPENDICULARLY) WEST FROM SOUTHWARD EXTENSION OF SAID LAST DESCRIBED LINE; THENCE WEST ALONG A STRAIGHT LINE, A DISTANCE OF 549.00 FEET TO A POINT ON A LINE 7.00 FEET WEST FROM AND PARALLEL WITH THE CENTERLINE, PRODUCED SOUTH, OF SAID SOUTH CHAMPLAIN AVENUE, SAID POINT BEING 724.70 FEET SOUTH FROM THE INTERSECTION OF SAID LINE WITH A LINE PARALLEL WITH AND 1190.30 FEET SOUTH FROM SAID NORTH LINE OF FRACTIONAL SOUTHEAST QUARTER OF FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE; THENCE SOUTH ALONG SAID LINE 7.00 FEET WEST FROM AND PARALLEL WITH THE CENTERLINE, PRODUCED SOUTH, OF SAID SOUTH CHAMPLAIN AVENUE, A DISTANCE OF 306.50 FEET TO A POINT WHICH IS 410.00 FEET NORTH FROM THE INTERSECTION OF SAID LINE WITH THE EASTWARD PROLONGATION OF THE SOUTH LINE OF SAID FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE; THENCE EAST ALONG A LINE PERPENDICULAR TO SAID LAST DESCRIBED LINE, A DISTANCE OF 549.00 FEET; THENCE NORTH ALONG A LINE PERPENDICULAR TO SAID LAST DESCRIBED COURSE, A DISTANCE OF 183.29 FEET; THENCE NORTHEASTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 221.14 FEET TO A POINT WHICH IS 88.47 FEET (MEASURED PERPENDICULARLY) EAST FROM THE NORTHWARD EXTENSION OF SAID LAST DESCRIBED LINE; THENCE EAST ALONG A STRAIGHT LINE, A DISTANCE OF 644.46 FEET, TO A POINT ON A LINE WHICH IS 272.00 FEET EAST FROM AND PARALLEL WITH THE SOUTHWARD PROLONGATION OF THE EAST LINE OF SAID FRACTIONAL SECTION 22, NORTH OF THE INDIAN BOUNDARY LINE, SAID POINT BEING 754.65 FEET NORTH FROM THE INTERSECTION OF SAID LINE WITH THE NORTH LINE OF EAST 119th STREET; THENCE NORTH ALONG SAID PARALLEL LINE BEING THE WEST LINE OF THE PROPERTY CONVEYED BY INSTRUMENT RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON JUNE 28, 1958 AS DOCUMENT NO. 17,272,668, A DISTANCE OF 1361.98 FEET TO THE DEFLECTION POINT IN SAID WEST PROPERTY LINE WHICH IS 50.00 FEET WEST FROM THE WEST LINE OF SOUTH DOTY AVENUE AND 2116.63 FEET NORTH FROM THE NORTH LINE OF SAID EAST 119th STREET; THENCE NORTHEASTWARDLY ALONG A STRAIGHT LINE, CONTINUING ALONG THE WESTERLY LINE OF THE PROPERTY CONVEYED BY SAID DOCUMENT NO. 17,272,668, A DISTANCE OF 61.52 FEET TO A SECOND DEFLECTION POINT IN SAID WESTERLY PROPERTY LINE; THENCE NORTHWARDLY ALONG A STRAIGHT LINE, CONTINUING ALONG SAID WESTERLY PROPERTY LINE; THENCE NORTHWESTWARDLY ALONG A STRAIGHT LINE, CONTINUING ALONG SAID WESTERLY PROPERTY LINE, A DISTANCE OF 191.06 FEET TO A THIRD DEFLECTION POINT IN THE SAID WESTERLY PROPERTY LINE; THENCE NORTHWESTWARDLY ALONG A STRAIGHT LINE, CONTINUING ALONG SAID WESTERLY PROPERTY LINE, A DISTANCE OF 154.04 FEET TO A POINT OF A CURVE IN SAID WESTERLY PROPERTY LINE; THENCE NORTHWESTWARDLY, CONTINUING ALONG SAID WESTERLY PROPERTY LINE, BEING HERE THE ARC OF A CIRCLE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 60.00 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE, A DISTANCE OF 77.57 FEET TO A POINT OF TANGENCY WITH THE AFOREMENTIONED SOUTH LINE OF EAST 115th STREET, AND THENCE WEST ALONG SAID SOUTH LINE OF EAST 115th STREET, A DISTANCE OF 391.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

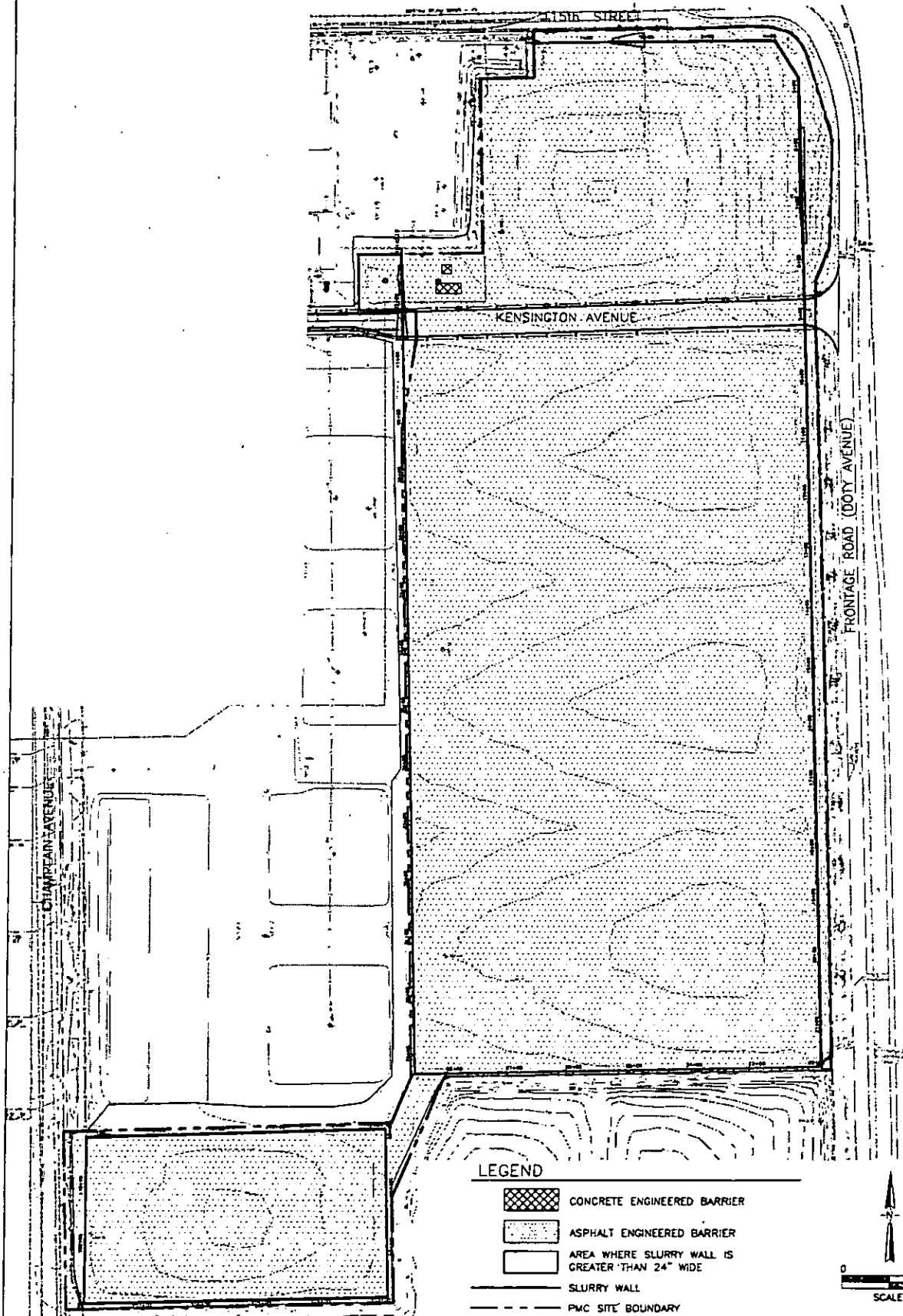
2. Common Address: 735 East 115th Street, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 25-22-400-029-0000

4. Remediation Site Owner: The Sherwin-Williams Company
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

SITE BASE MAP
 LPC#: 0316495004 - COOK COUNTY
 CHICAGO, ILLINOIS
 SITE REMEDIATION PROGRAM



WESTON
 SOLUTIONS

750 E. Bunker Ct.
 Suite 500
 Vernon Hills, Illinois
 60061

SITE BASE MAP
 LPC#: 0316495004 - COOK COUNTY
 Chicago, Illinois
 SHERWIN-WILLIAMS - FORMER CHICAGO SPECIALTIES PROPERTY

TABLE A: Regulated Substances of Concern

**0316495004-Cook County
Chicago/Former Chicago Specialties L.L.C.
Site Remediation Program**

Volatile Organic Compounds (VOCs)	
CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
124-48-1	Dibromochloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
540-59-0	1,2-Dichloroethene (total)
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
100-42-5	Styrene
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
108-88-3	Toluene
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

BTEX and MTBE	
CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)
1634-04-4	Methyl tert-butyl ether

Semivolatile Organic Compounds (SVOCs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
111-91-1	bis(2-Chloroethoxy)methane
111-44-4	bis(2-Chloroethyl)ether
117-81-7	bis(2-Ethylhexyl)phthalate
101-55-3	4-Bromophenyl-phenyl ether
85-68-7	Butylbenzylphthalate
86-74-8	Carbazole
106-47-8	4-Chloroaniline
59-50-7	4-Chloro-3-methylphenol
91-58-7	2-Chloronaphthalene
95-57-8	2-Chlorophenol
7005-72-3	4-Chlorophenyl-phenyl ether
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
132-64-9	Dibenzofuran
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
120-83-2	2,4-Dichlorophenol
84-66-2	Diethylphthalate
105-67-9	2,4-Dimethylphenol
131-11-3	Dimethylphthalate
534-52-1	4,6-Dinitro-2-methylphenol

51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
606-20-2	2,6-Dinitrotoluene
84-74-2	Di-n-butylphthalate
117-84-0	Di-n-octylphthalate
206-44-0	Fluoranthene
86-73-7	Fluorene
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
78-59-1	Isophorone
91-57-6	2-Methylnaphthalene
95-48-7	2-Methylphenol
106-44-5	4-Methylphenol
91-20-3	Naphthalene
88-74-4	2-Nitroaniline
99-09-2	3-Nitroaniline
100-01-6	4-Nitroaniline
98-95-3	Nitrobenzene
88-75-5	2-Nitrophenol
100-02-7	4-Nitrophenol
621-64-7	N-Nitroso-di-n-propylamine
86-30-6	N-Nitrosodiphenylamine
108-60-1	2,2'-oxybis(1-chloropropane)
87-86-5	Pentachlorophenol
85-01-8	Phenanthrene
108-95-2	Phenol
129-00-0	Pyrene
120-82-1	1,2,4-Trichlorobenzene
95-96-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol

Polynuclear Aromatic Compounds (PNAs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene

50-32-8	Benzo(a)pyrene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

Inorganics	
CAS No.	Compound Name
7429-90-5	Aluminum
7440-36-0	Antimony
7440-38-2	Arsenic
7440-39-3	Barium
7440-41-7	Beryllium
7440-43-9	Cadmium
7440-70-2	Calcium
7440-47-3	Chromium
7440-48-4	Cobalt
7440-50-8	Copper
57-12-5	Cyanide
7439-89-6	Iron
7439-92-1	Lead
7239-95-4	Magnesium
7439-96-5	Manganese
7439-97-6	Mercury
7440-02-0	Nickel
7440-09-7	Potassium
7782-49-2	Selenium
7440-22-4	Silver
7440-23-5	Sodium
7440-28-0	Thallium
7440-62-2	Vanadium
7440-66-6	Zinc

Inorganics	
CAS No.	Compound Name
7440-38-2	Arsenic
7440-39-3	Barium

7440-43-9	Cadmium
7440-47-3	Chromium
7439-92-1	Lead
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver

Inorganics	
CAS No.	Compound Name
7440-36-0	Antimony
7440-38-2	Arsenic
7440-39-3	Barium
7440-41-7	Beryllium
7440-43-9	Cadmium
7440-47-3	Chromium
7440-50-8	Copper
7439-92-1	Lead
7439-97-6	Mercury
7440-02-0	Nickel
7782-49-2	Selenium
7440-22-4	Silver
7440-66-6	Zinc

Pesticides and Aroclors	
CAS No.	Compound Name
309-00-2	Aldrin
12674-11-2	Aroclor - 1016
11104-28-2	Aroclor - 1221
11141-16-5	Aroclor - 1232
53469-21-9	Aroclor - 1242
12672-29-6	Aroclor - 1248
11097-69-1	Aroclor - 1254
111096-82-5	Aroclor - 1260
319-84-6	alpha-BHC
319-85-7	beta-BHC
319-86-8	delta-BHC
58-89-9	gamma-BHC
5103-71-9	alpha-Chlordane
5566-34-7	gamma-Chlordane
72-54-8	4,4'-DDD

72-55-9	4,4'-DDE
50-29-3	4,4'-DDT
60-57-1	Dieldrin
959-98-8	Endosulfan I
33213-65-9	Endosulfan II
1031-07-8	Endosulfan sulfate
72-20-8	Endrin
7421-93-4	Endrin aldehyde
53494-70-5	Endrin ketone
76-44-8	Heptachlor
1024-57-3	Heptachlor epoxide
72-43-5	Methoxychlor
8001-35-2	Toxaphene

Dioxins and Furans	
CAS No.	Compound Name
35822-46-9	1,2,3,4,6,7,8-Heptachlorinated dibenzo-p-dioxin
39227-28-6	1,2,3,4,7,8-Hexachlorinated dibenzo-p-dioxin
57653-85-7	1,2,3,6,7,8-Hexachlorinated dibenzo-p-dioxin
19408-74-3	1,2,3,7,8,9-Hexachlorinated dibenzo-p-dioxin
3268-87-9	1,2,3,4,6,7,8,9-Octachlorinated dibenzo-p-dioxin
40321-76-4	1,2,3,7,8-Pentachlorinated dibenzo-p-dioxin
1746-01-6	2,3,7,8-Tetrachlorinated dibenzo-p-dioxin
67562-39-4	1,2,3,4,6,7,8-Heptachlorinated dibenzofuran
55673-89-7	1,2,3,4,7,8,9-Heptachlorinated dibenzofuran
70648-26-9	1,2,3,4,7,8-Hexachlorinated dibenzofuran
57117-44-9	1,2,3,6,7,8-Hexachlorinated dibenzofuran
60851-34-5	2,3,4,6,7,8-Hexachlorinated dibenzofuran
72918-21-9	1,2,3,7,8,9-Hexachlorinated dibenzofuran
39001-02-0	1,2,3,4,6,7,8,9-Octachlorinated dibenzofuran
57117-41-6	1,2,3,7,8-Pentachlorinated dibenzofuran
57117-31-4	2,3,4,7,8-Pentachlorinated dibenzofuran
51207-31-9	2,3,7,8 - Tetrachlorinated dibenzofuran
37871-00-4	Total Hepta Dioxins
34465-46-8	Total Hexa Dioxins
36088-22-9	Total Penta Dioxins
41903-57-5	Total Tetra Dioxins
38998-75-3	Total Hepta Furans
55684-94-1	Total Hexa Furans
30402-15-4	Total Penta Furans
55722-27-5	Total Tetra Furans



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 524-3300

EH & RS

JUL 26 2013

D.S. Kuntz

July 24, 2013

CERTIFIED MAIL

7011 1150 0001 0863 5780

Gordon S. Kuntz
The Sherwin-Williams Company
101 Prospect Avenue, NW
Cleveland, OH 44115

Re: LPC#0316495004/Cook County
Chicago/ Former Chicago Specialties, L.L.C.
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Kuntz:

The *Remedial Action Completion Report* (received May 24, 2013/Log No. 13-53907), as prepared by Weston Solutions, Inc. for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates the remediation objectives approved for the site in accordance with 35 Illinois Administrative Code Part 742 are above the existing concentrations of regulated substances and that the remedial action was completed in accordance with the *Remedial Action Plan* (received December 2009/Log No. 09/43317) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 32 acres, is located at 735 East 115th Street, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (May 24, 2013/Log No. 13-53907), is The SherwinWilliams Company.

This comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the comprehensive site investigation and successfully addressed, consist of the contaminants of concern detailed in the attached Table A.
- 2) The Remediation Site is industrial/commercial land use.
- 3) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 4) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 5) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Any soil excavated must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 6) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.
- 7) The concrete cap barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This concrete cap barrier must be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

Institutional Controls:

- 8) The City of Chicago agrees through the use of a highway authority agreement dated July 1, 2009 to allow contaminated soil and groundwater located immediately north of the property near the E. 115th Street and Doty Avenue intersection to remain beneath its highway right-of-way. The highway owner also agrees that the contaminated groundwater shall not be utilized as a potable or other domestic supply water.
- 9) No person shall construct, install, maintain, or operate a well at the Remediation Site. Extraction wells, monitoring wells, and piezometers for the purpose of remediation at the Remediation Site are acceptable. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

- 10) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 11) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under #10 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 12) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 13) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Division of Records Management #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 14) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

- a) Any violation of institutional controls or the designated land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
- d) The failure to comply with the recording requirements for this Letter;
- e) Obtaining the Letter by fraud or misrepresentation;
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
- g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
- h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

15) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) The Sherwin Williams Company;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;
- d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
- e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
- f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
- g) Any successor-in-interest of the owner of the Remediation Site;
- h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;

- i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 16) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Former Chicago Specialties, L.L.C. property.
- 17) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 18) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the Former Chicago Specialties, L.L.C. property, you may contact the Illinois EPA project manager, Jody Kershaw at 217-524-3285.

Sincerely,



Joyce L. Munje, P.E., Manager
Remedial Project Management Section

Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: Attention: Steve Bosko
Weston Solutions, Inc.
750 E. Bunker Ct., Suite 500
Vernon Hills, Illinois 60061

Bureau of Land File
Mr. Robert O'Hara

Dr. Raul Valdivia
City of Chicago Department of Environment
30 N. LaSalle St., 25th Floor
Chicago, Illinois 60602

APPENDIX – B

Superfund Memorandum of Agreement (SMOA)

ADDENDUM NO. 1

SUPERFUND MEMORANDUM OF AGREEMENT
BETWEEN THE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
AND THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION V

I. BACKGROUND

The Illinois Environmental Protection Agency ("IEPA") and the United States Environmental Protection Agency, Region V ("Region V") entered a Superfund Memorandum of Agreement (SMOA) effective December 18, 1991. Among other things, the SMOA established operating procedures for general Superfund program coordination and communication between IEPA and Region V.

II. BROWNFIELDS

In 1993 IEPA and Region V began developing strategies to promote the remediation and redevelopment of "Brownfield" sites. Both agencies recognize that a key factor to the Brownfields program in Illinois is for both agencies to exercise their authorities and use their resources in ways that are mutually complementary and are not duplicative. Two operational factors are important in this regard. First, the IEPA has successfully operated a voluntary cleanup since the late 1980s. This program, more formally known as the Pre-Notice Site Cleanup Program ("PNSCP"), provides guidance, assistance and oversight by IEPA to owners and operators of sites in Illinois who perform site assessment and remediation in accordance with the practices, and under the approval, of the IEPA. In addition IEPA has established a consistent cleanup objectives process across all its remediation programs (PWSCP, CERCLA, RCRA, and LUST) which is protective of human health and the environment. Second, USEPA has administered a national site assessment program to assess sites listed on the federal CERCLIS list. This assessment process identifies and prioritizes sites for remediation needs and also establishes a "no further remedial action planned" or NFRAP category of sites. As a result of the success of these two programs, IEPA and Region V have concluded that the principles and procedures set forth in this Addendum will meaningfully assist in the remediation and development of Brownfield sites.

III. PRINCIPLES

If a site in Illinois has been remediated or investigated under the practices and procedures of the Illinois PNSCP and IEPA has approved the remediation as complete or made a no-action determination upon review of an investigation, consistent with existing information the site will not be expected to require further response actions. Accordingly, Region 5 will not plan or anticipate any federal action under Superfund law unless, in exceptional circumstances, the site poses an imminent threat or emergency situation. Region 5 will also continue to work with Illinois to remove any concerns about federal activity under Superfund so as to encourage appropriate redevelopment.

This Principle does not apply to sites which have been listed on the National Priorities List or sites subject to an order or other enforcement action under Superfund law or sites imminently threatening public health or the environment. Future IEPA activities at the site will be based on the conditions of the remediation approval and whether any imminent threat subsequently arises.

IV. REPORTING

On an annual basis IEPA will report to Region V on the Following:

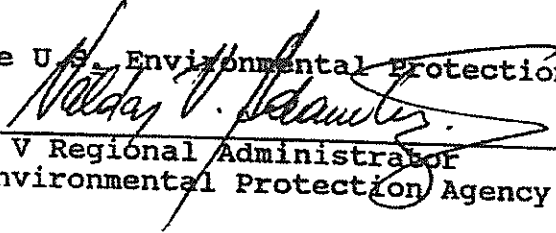
- 1) number of sites in the PNSCP;
- 2) sites entering the PNSCP the previous year;
- 3) sites having received approvals by IEPA of full or partial completions in the previous year;

For the Illinois Environmental Protection Agency



Director, Illinois Environmental Protection Agency

For the U.S. Environmental Protection Agency, Region V



Region V Regional Administrator
U.S. Environmental Protection Agency

Date

4/06/95